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FILED  
U.S. DISTRICT COURT  
DISTRICT OF COLORADO

2005 MAY 13 PM 4:07

GREGORY C. LANGHAM  
CLERK

BY \_\_\_\_\_ DEP. CLK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 00-F-612(OES)

NEW TIMES, INC.,  
ASSOCIATION OF ALTERNATIVE NEWSWEEKLIES,  
DARK NIGHT PRESS,  
CLAY DOUGLAS,  
LARRY RICE,  
DORET KOLLERER,  
CHRISTINE DONNER,  
MAOIST INTERNATIONAL MOVEMENT,  
BARRIO DEFENSE COMMITTEE,  
ANTHONY LUCERO,  
MAXWELL THOMAS,  
DANIEL HERNANDEZ,  
ARTHUR MCCRAY,  
GEORGE MOORE,  
TRAVIS COLVIN, and  
MARTIN WILLIAMS,

Plaintiffs,

v.

JOE ORTIZ, in his official capacity as EXECUTIVE DIRECTOR OF COLORADO  
DEPARTMENT OF CORRECTIONS,

Defendant.

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**STIPULATION FOR ORDER AMENDING SETTLEMENT AGREEMENT**

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The parties, through undersigned counsel, have reached an agreement to resolve the issues raised in Plaintiffs' Motion to Enforce Settlement Agreement and for Order to Show Cause, filed on March 31, 2005. Under their agreement, the parties wish to amend the terms of the August 10, 2004 Settlement Agreement and the Court's August 16, 2004 Order Approving Settlement Agreement in the following respects:

EXHIBIT  
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1. The DOC shall provide Plaintiffs' counsel with written confirmation that the training program the DOC develops under Section II.B.4 of the Settlement Agreement is in place and being followed at every facility, including contract facilities, and that all employees currently involved in the censorship process in fact have completed the training. The referenced certification shall be provided to Plaintiffs' counsel upon completion of the training program by all DOC employees currently involved in the censorship process.

2. Plaintiffs' monitoring period under Section II.C.2. of the Settlement Agreement, which terminates under the Settlement Agreement on August 10, 2006, is extended through the later of November 10, 2006, or the date beyond August 10, 2006, which equals the additional number of days between April 8, 2005, and the actual date written confirmation under paragraph 1 above is provided to Plaintiffs' counsel.

3. The DOC shall provide Plaintiffs' counsel with written confirmation every quarter through March 31, 2007, that all private prison facilities operated under contract with the DOC are in fact complying with all provisions of the revised AR 300-26 and the Settlement Agreement with respect to inmates housed in such facilities who were Colorado residents before their incarceration or who were sentenced by a Colorado court.

4. Upon entry of an Order approving this Stipulation amending the Settlement Agreement, the DOC shall provide Plaintiffs with written confirmation that the DOC has developed its own monitoring program, pursuant to Section II.C.1. of the Settlement Agreement.

5. Plaintiffs waive their right to attorneys' fees and costs incurred in preparing and filing Plaintiffs' Motion to Enforce Settlement Agreement, filed on April 2, 2005, pursuant to Section II.E.2. of the Settlement Agreement.

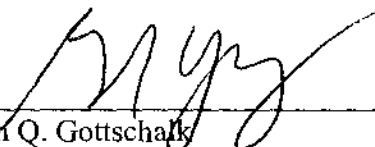
6. The Court shall have the power to enforce the provisions of this Stipulation amending the Settlement Agreement in the manner provided in Section II.E.2. of the Settlement Agreement.

7. Except as expressly modified by the terms of this Stipulation, the Settlement Agreement remains in full force and effect and, together with this amendment, constitutes the final written expression of all of the terms of settlement.

Accordingly, the parties respectfully request that the Court approve this Stipulation and enter an Order adopting these modifications to the Settlement Agreement as an Order of the Court.

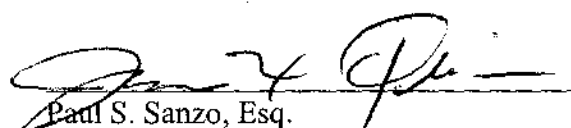
Dated: May 13, 2005

Respectfully submitted,

  
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**ATTORNEYS FOR PLAINTIFFS**

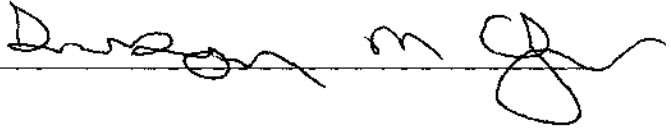
  
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Denver, CO 80203  
Telephone: (303) 866-4500  
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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

The undersigned certifies that on this ~~13~~ day of May, 2005, a copy of the foregoing was sent by facsimile and by U.S. mail, first class, postage pre-paid, to:

Paul S. Sanzo, Esq.  
James X. Quinn, Esq.  
Office of the Colorado Attorney General  
Corrections Unit, Litigation Section  
1525 Sherman Street, 5th Floor  
Denver, CO 80203



A handwritten signature in black ink, appearing to read "Paul S. Sanzo", is written over a horizontal line.

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