

FILED

2005 SEP 26 A 9:47

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

U.S. DISTRICT COURT
HARTFORD, CT

| | | |
|---|---|-----------------------------------|
| STATE OF CONNECTICUT OFFICE OF | : | Civil Action No. 3:03CV1352 (RNC) |
| PROTECTION AND ADVOCACY | : | |
| FOR PERSONS WITH DISABILITIES; | : | |
| JAMES MCGAUGHEY, Executive | : | |
| Director, Office of Protection and | : | |
| Advocacy for Persons with Disabilities, | : | |
| | : | |
| Plaintiffs, | : | |
| | : | |
| v. | : | |
| | : | |
| WAYNE CHOINSKI, Warden, | : | |
| Northern Correctional Institution, | : | |
| in his official capacity; | : | |
| GIOVANNY GOMEZ, Warden, | : | |
| Garner Correctional Institution, | : | |
| in his official capacity; and | : | |
| THERESA C. LANTZ, Commissioner, | : | |
| Connecticut Department of Correction, | : | |
| in her official capacity; | : | |
| | : | |
| Defendants. | : | September <u>26</u> , 2005 |

ORDER OF DISMISSAL

Having considered the Joint Motion For Conditional Dismissal And Approval of Settlement, and the parties' Settlement Agreement attached hereto as Exhibit A, it is ORDERED that such Motion be, and is hereby, GRANTED;

IT IS FURTHER ORDERED that all terms and conditions of the parties' Settlement Agreement are hereby INCORPORATED INTO THIS ORDER as if fully set forth herein, and are hereby APPROVED, and the defendants are DIRECTED to fulfill the obligations undertaken in the Settlement Agreement;

IT IS FURTHER ORDERED that, subject to the terms and conditions of this Order, the above entitled action is hereby DISMISSED WITH PREJUDICE; and

IT IS FURTHER ORDERED that this Court shall RETAIN JURISDICTION over this action for the purposes of enforcing any of the terms or conditions of the parties' Settlement Agreement. This jurisdiction shall be limited as set forth in Sections A.13 and B.17 of the Settlement Agreement.

SO ORDERED this 26 day of September, 2005.

Robert N. Chatigny 0 /
Chief United States District Judge