



PC-NY-003-003

BRIEF BANK

207

Consent Decrees

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARY DEAN, KAREN WHITE, WINIFRED :
MACK and ELIZABETH TAYLOR, for :
themselves and all others similar- :
ly situated, :

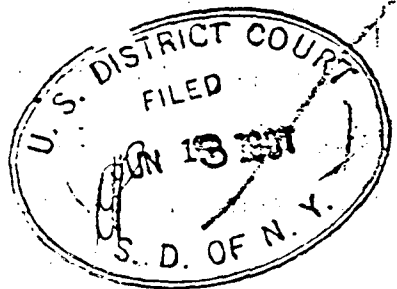
Plaintiffs, :

- against - :

THOMAS A. COUGHLIN III, Commis- :
sioner of the New York State :
Department of Correctional :
Services; RAYMOND BROADDUS, :
Assistant Commissioner for Health :
Services of the New York State :
Department of Correctional Ser- :
vices; SYDNEY POLLARD, Dental :
Director of the New York State :
Department of Correctional Ser- :
vices; FRANK HEADLEY, Superinten- :
dent of Bedford Hills Correctional :
Facility; JIMMIE HARRIS, Health :
Administrator of Bedford Hills :
Correctional Facility; and :
DONALD COLLINGS, Dentist at :
Bedford Hills Correctional Facil- :
ity, individually and in their :
official capacities, :

Defendants. :

FINAL JUDGMENT BY
CONSENT ON INJUNCTIVE
CLAIMS
84 Civ. 1528 (SWK)



This action having been brought on March 2, 1984, challenging the provision of dental care services at Bedford Hills Correctional Facility as violative of prisoners' rights under the United States Constitution; and the Court having certified this case as a class action, the class consisting of all persons who are or will be incarcerated at Bedford Hills; and the parties having agreed that it is in

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the best interests of all the parties that the injunctive claims concerning the provision of dental care services at Bedford Hills be resolved without further litigation; and the parties having entered into a Stipulation resolving the injunctive claims; and notice of the terms of the Stipulation having been given to the plaintiff class; and this Court having referred the parties' Stipulation to United States Magistrate Leonard A. Bernikow for consideration of the fairness and reasonableness of the settlement and any comments from members of the plaintiff class; and a hearing having been held before Magistrate Bernikow on May 5, 1987 for consideration of these issues; and the Magistrate, in a Report and Recommendation dated May 20, 1987, having found the settlement to be fair and reasonable and having further recommended approval of the Stipulation; and the parties having no objection to the Report and Recommendation of the Magistrate.

NOW, upon the consent of the attorneys for the parties, and upon full consideration of the Stipulation and the Report and Recommendation of Magistrate Bernikow, it is hereby

ORDERED, ADJUDGED AND DECREED that the report and Recommendation of Magistrate Bernikow, a copy of which is

attached hereto, is approved and fully adopted by this Court; and it is further

ORDERED, ADJUDGED AND DECREED that the parties' Stipulation, a copy which is attached to and incorporated in this Order, is approved and adopted as a Final Judgment in full settlement and compromise of the issues that it addresses; and it is further

ORDERED, ADJUDGED AND DECREED that the plaintiff class shall be notified of the entry of this Judgment, as provided for in the attached notice. The Bedford Hills Superintendent shall cause a copy of the notice to be given by hand to each present inmate at Bedford Hills and shall cause a copy to be posted in the vicinity of the Bedford Hills dental clinic for the duration of this Stipulation. The Superintendent shall also cause copies of this Final Judgment by Consent and its attachments to be available for a like period for inspection in the Bedford Hills law library.

✓ Dated: New York, New York
June 17, 1987

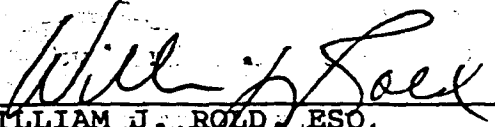

SHIRLEY WOHL KRAM
UNITED STATES DISTRICT JUDGE

APPROVED FOR ENTRY:

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BY


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BY


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TAQUIN J. BROMLEY, ESQ.