

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

KEITH SETH, *et al.*,
Individually and on behalf of a class
of similarly situated persons,

Plaintiffs,

v.

MARY LOU MCDONOUGH,
In her official capacity as
Director of the Prince George's County
Department of Corrections,

Defendant.

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Civil Action No. 8:20-cv-01028-PX

ORDER

Pursuant to Federal Rule of Evidence 706, the Court hereby appoints as an expert witness in the field of medicine, infectious diseases, and public health in the corrections setting, **Carlos Franco-Paredes, MD, MPH**, to provide information to the Court responsive to the Plaintiffs' Motion for Temporary Restraining Order (ECF No. 3), and render an expert opinion on the current health and safety of Plaintiff-detainees at the Prince George's County Detention Center (the Facility) in light of the COVID-19 pandemic, including but not limited to the Facility's compliance with the pertinent CDC guidelines and, if warranted, issue recommendations regarding corrective measures to address the presence of the COVID-19 virus at the Facility.

Further, the Court ORDERS that **Dr. Franco-Paredes and his associates**¹ shall be granted access to the Facility unannounced and bring with them laptops or other similar equipment with internet access, cameras, cell phones, writing implements, and any other equipment required to conduct their site visits. Once in the Facility, **Dr. Franco-Paredes** shall be permitted to inspect areas of the facilities without limitation and shall be permitted to speak with staff and inmates in confidence and outside of the presence of Facility supervisors and staff. The inspection shall take place during normal business hours (*i.e.* 8 a.m. to 5 p.m.) on any day of the week.

To the extent the inspection, review, and report includes protected health or other sensitive information, it shall be kept in restricted or under seal access pursuant to this Court's protective Order to be issued by separate filing.

¹ Dr. Franco-Paredes shall provide to all counsel the names of all individuals who will accompany him on his inspection.

It is further ORDERED that **Dr. Franco-Paredes** shall be given a copy of the FULL record in this case to date. Counsel for Plaintiffs shall transmit, by email, each ECF filing in PDF format by close of business **today**.

It is further ORDERED that **Dr. Franco-Paredes** may confer with counsel for the Plaintiffs and Defendant each, ex parte, and for no more than one hour.

It is further ORDERED that **Dr. Franco-Paredes** shall be permitted to review all pertinent Facility records and documents, electronic or otherwise, and video footage in connection with their investigation.

The Facility is also ORDERED to preserve all pertinent documents and video footage.

It is further ORDERED that the Facility shall make all supervisors and staff available for interviews, including telephonic interviews conducted by **Dr. Franco-Paredes or his associates** immediately and without undue delay.

It is further ORDERED that the Facility provide a sufficient supply of full personal protective equipment (PPE) to safely enable their inspections at the time of those inspections and/or permit **Dr. Franco-Paredes and his associates** to bring within the facility such PPE as Dr. Franco-Paredes deems necessary.

As previously discussed, the parties are to bear the cost of Dr. Franco-Paredes' services equally. The parties shall meet and confer regarding the manner and timing of such payment and make every effort to arrive at agreement without further Court involvement.

5/1/2020
Date

/S/
Paula Xinis
United States District Judge