

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAMES BENJAMIN, et al.,

Plaintiffs,

- against -

CATHERINE M. ABATE, et al.,

Defendants.

75 Civ. 3073
(MEL)

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ERNESTO MALDONADO, et al.,

Plaintiffs,

- against -

CATHERINE M. ABATE, et al.,

Defendants.

76 Civ. 2854
(MEL)

ORDER CONCERNING
REPAIR OF KITCHEN
AND REPLACEMENT OF
DISHWASHERS

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DETAINEES OF THE BROOKLYN HOUSE OF
DETENTION FOR MEN, et al.,

Plaintiffs,

- against -

CATHERINE M. ABATE, et al.,

Defendants.

79 Civ. 4913
(MEL)

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DETAINEES OF THE QUEENS HOUSE OF
DETENTION FOR MEN, et al.,

Plaintiffs,

- against -

CATHERINE M. ABATE, et al.,

Defendants.

79 Civ. 4914
(MEL)

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IOLA FORTS, et al.,

Plaintiffs,

76 Civ. 101
(MEL)

- against -

CATHERINE M. ABATE, et al.,

Defendants.

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GUY ZEPH AMBROSE, et al.,

Plaintiffs,

76 Civ. 190 (MEL)

- against -

CATHERINE M. ABATE, et al.,

Defendants.

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The Office of Compliance Consultants (OCC) has reported to the court protracted delays by the defendants in repairing a collapsed ceiling in the kitchen of the Bronx House of Detention and a defective dishwasher in the George Motchan Detention Center. Plaintiffs have requested a court-ordered schedule for completing these repairs. OCC has further identified malfunctions and disrepair in dishwashers in the James A. Thomas Center, the Anna M. Kross Center, the Correctional Institution for Men, and the Queens House of Detention, and has reported that there is no functioning dishwasher in the Otis Bantum Correctional Center.

It is not disputed that the collapsed ceiling and the absence of properly functioning dishwashers threaten defendants' ability to comply consistently with the provisions of the Partial

Final Stipulations for Entry of Final Judgment in the above entitled cases.

Inasmuch as the kitchen at JATC is scheduled for major renovation on or before 10/1/93, and the servery at OBCC is now using dishwashing equipment at the West Facility, the parties agree that replacement equipment need not be installed at these facilities pursuant to a court-ordered schedule.

The defendants have proffered schedules for the correction of the remaining deficiencies, which the court hereby adopts.

It is therefore ORDERED:

1. Construction shall begin on the repair of the kitchen ceiling in the Bronx House of Detention no later than February 28, 1993, barring unforeseen emergency circumstances. Defendants shall notify OCC of the expected completion date of the construction no later than February 28, 1993.

2. The defendant Commissioner of Correction or her designee shall notify all other agencies of City government whose cooperation may be required in order timely to commence and complete the said construction of the provisions of this order.

3. Any circumstances that threaten to delay the commencement of the said construction beyond February 28, 1993, or its completion beyond the completion date provided to OCC, shall be reported to OCC by the defendant Commissioner of Correction or her designee immediately upon their learning of the circumstances.

4. The defective dishwashers at the George Motchan Detention Center, the Anna M. Kross Center, and the Correctional

Institution for Men shall be installed and in operation no later than June 30, 1993, barring unforeseen emergency circumstances.

5. The defendant Commissioner of Correction or her designee shall notify all other agencies of City government whose cooperation is required in order timely to replace the said dishwashers of the provisions of this order.

6. Any circumstances that threaten to delay the replacement of the said dishwashers beyond the dates set forth in this order shall be reported to the Office of Compliance Consultants by the defendant Commissioner of Correction or her designee immediately upon their learning of the circumstances.

Dated: New York, New York
November __, 1992

3/11/17/92

U.S.D.J.