



U.S. Department of
Justice

Civil Rights Division

AEP:BPS:PKC:JCP:VBR:LWJ:plh
DJ 168-23-17

Special Litigation Section
P.O. Box 66400
Washington, DC 20035-6400

January 26, 1996

Tim Gehant, Esquire
Department of Mental Health
Suite 6-400
100 W. Randolph St.
Chicago, Ill 60601

Re: United States v. Illinois, et al.,
No. 92 C 0694 (Plunkett, J.)

Dear Tim:

Pursuant to our discussions, enclosed please find the Agreed Motion to Terminate Consent Decree and Dismiss Case, which has been executed by our office. I would appreciate it if you would send me a copy of the fully executed motion once it is filed.

We extend our thanks to everyone who has worked on this case and especially to Kathy Muniz and the staff at the W.A. Howe Developmental Center.

Sincerely,

Pamela K. Chen
Trial Attorney
Special Litigation Section

U.S. v. Illinois



MR-IL-002-006

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 92-C-0694
	)	
STATE OF ILLINOIS, JIM EDGAR,	)	Honorable Paul E. Plunkett
Governor of the State of Illinois;	)	Judge Presiding
ANN PATLA, Director, Illinois	)	
Department of Mental Health and	)	
Developmental Disabilities;	)	
KATHLEEN A. MUNIZ, Superintendent,	)	
W.A. Howe Developmental Center,	)	
	)	
Defendants.	)	

AGREED MOTION TO TERMINATE CONSENT DECREE AND DISMISS CASE

The Plaintiff by its attorneys, and the Defendants by their attorneys, jointly move this Court to enter an order terminating the Consent Decree entered in this action and dismissing the case with prejudice. In support of this motion, the parties state as follows:

1. The parties executed a Consent Decree in this matter which was entered by this Court on January 4, 1994.
2. The Consent Decree provides that "[o]n or after the date on which Defendants shall have fully and faithfully implemented all provisions of this Consent Decree, Defendants or the parties may move that the case be closed and dismissed with prejudice on grounds that Defendants have fully and faithfully implemented and maintained all provisions of this Consent Decree. Such motion shall attach the most recent findings of each of the Joint Experts . . .".

3. The Joint Experts in this matter have determined that Defendants have fully and faithfully implemented all provisions of the Consent Decree. The most recent Joint Expert reports are attached hereto and made a part thereof.

4. The parties agree to jointly move this Court that the Consent Decree be terminated and that the case be closed and dismissed on grounds that Defendants have fully and faithfully implemented and maintained all provisions of the Consent Decree.

WHEREFORE, the parties request that this Court enter an Order terminating the Consent Decree and closing and dismissing this case with prejudice.

Respectfully submitted,

ON BEHALF OF PLAINTIFF:

ON BEHALF OF DEFENDANTS:



PAMELA K. CHEN
JUDITH C. PRESTON
ROBERT H. STERN
Trial Attorneys
Special Litigation Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66400
Washington, D.C. 20035-6400
(202) 514-6261

MARITA C. SULLIVAN
Assistant Attorney General
100 West Randolph Street
Chicago, Illinois 60601
(312) 814-3671

IT IS SO ORDERED this _____ day of _____, 1996, at
Chicago, Illinois.

UNITED STATES DISTRICT JUDGE