

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

JEROME DUVALL, et al.,

Plaintiffs,

v.

ROBERT ERHLICH, et al.,

Defendants.

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND  
2009 NOV 10 A 10:59

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\* CLERK'S OFFICE  
\* AT BALTIMORE

\* Civil Action No. JFM-94-2541

\* BY \_\_\_\_\_

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ORDER

IT IS HEREBY ORDERED that

1. Plaintiffs' Motion for Approval of Partial Settlement Agreement and Approval of Notice to the Class, filed September 15, 2009, is granted.

2. The Partial Settlement Agreement of the parties filed August 18, 2009 is preliminarily approved as fair, adequate, and reasonable.

3. The proposed Notice to the Class attached to Plaintiffs' Motion for Approval of Partial Settlement Agreement and Approval of Notice to the Class is approved.

3. On or before 12/1/09, Defendants shall provide notice to the class, for a minimum of 45 days, of the Court's consideration of the Partial Settlement Agreement, by posting in dormitory-style housing units and other areas where detainees may read such notices, the approved Notice to the Class.

4. For any detainees in segregated confinement who do not routinely have access to the areas where such notices are to be posted, Defendants shall provide an individual copy of the Notice to the Class.

5. Twenty-five copies of the Partial Settlement Agreement shall be made available in the Baltimore City Detention Center Law Library. Upon request, any detainee in the facility shall be

provided with a copy of the Partial Settlement Agreement for a period of up to six hours.

6. The parties shall be permitted access to all responses from class members to the Notice to the Class received by the Court.

7. The period for class members to respond to the Notice to the Class shall end 60 days after posting and distribution of the Notice to the Class begins. Thereafter, the parties shall have fourteen days, unless extended by the Court, to file motions related to final approval of the Partial Settlement Agreement.

8. Within ten days of the end of the period during which Notice to the Class is required, Defendants shall file an appropriate declaration with the Court describing where Notice to the Class was posted and specifically detailing all areas in which individual Notice to the Class was provided to detainees; stating that Notice to the Class remained posted for the required period; and averring that 25 copies of the Partial Settlement Agreement were made available to detainees in the law library and that all detainees in the BCDC were able to gain access to a copy of the Partial Settlement Agreement upon request during that period.

Dated this 14 day of March 2009.

BY THE COURT:

  
J. Frederick Motz  
United States District Judge