

C/m

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SLR:mjg

MG-1283

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

Plaintiff,

-against-

NASSAU COUNTY, NASSAU COUNTY EXECUTIVE,
NASSAU COUNTY SHERIFF'S DEPARTMENT,
and EDWARD REILLY, Sheriff of
Nassau County,

Defendants.
-----X

STIPULATION
OF DISMISSAL

Civil Action No.
CV-02-2382
(Wexler, J.)

The United States, having commenced this action pursuant to the Civil Rights of Institutionalized Persons Act of 1980, 42 U.S.C. § 1997, to enjoin the Defendants from allegedly depriving persons incarcerated in the Nassau County Correctional Center, located in East Meadow, New York, of rights, privileges, or immunities secured and protected by the Constitution of the United States, and pursuant to 42 U.S.C. § 14141 to remedy an alleged pattern or practice of conduct by law enforcement officers of the Nassau County Sheriff's Department that deprives persons incarcerated in the Nassau County Correction Center of rights, privileges, and immunities secured and protected by the Constitution or laws of the United States; and

The United States, Nassau County, the Nassau County Executive and the Nassau County Sheriff's Department, and Edward Reilly, Sheriff of Nassau County ("the County") having entered into a Settlement Agreement, filed with the Court on April 22, 2002; and

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The parties having moved this Court pursuant to Fed. R. Civ. P. 41(a)(2) to place the case on its inactive docket pending Defendants' substantial compliance with the terms of the entire Settlement Agreement; and

The Court having granted the motion on May 7, 2002; and

The parties having stipulated to the dismissal of the provisions of the Settlement Agreement pertaining to the use of force (Section III, paragraphs 59-117 of the Settlement Agreement) on July 15, 2005; and

The parties having also stipulated that the matter remain on the Court's inactive docket until such time as the Defendants substantially complied with the requirements of the Settlement Agreement pertaining to conditions under which of medical and mental health care are provided to inmates at the Nassau County Correction Center (Section II, paragraphs 7-58 of the Settlement Agreement), at which time the parties would jointly move for dismissal of the entire case; and

The Court having "so ordered" the stipulation on July 19, 2005; and

The parties now agreeing that the County has met its obligations regarding the remaining provisions of the Settlement Agreement, relating to the provision of medical and mental health care to inmates at the Nassau County Correctional Center;

IT IS HEREBY STIPULATED AND AGREED, by and between the the parties, that this action should be removed from the Court's inactive docket and dismissed in its entirety.

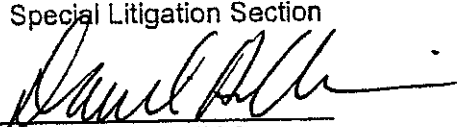
For the United States:

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BENTON J. CAMPBELL
United States Attorney
Eastern District of New York

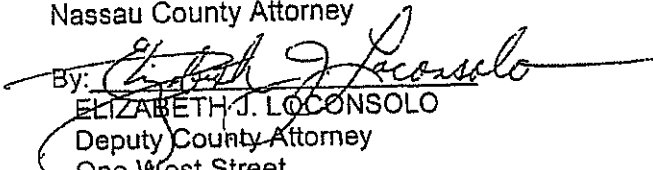
By: 
MICHAEL J. GOLDBERGER
(MG -1283)
Chief of Civil Rights,
Civil Division
Eastern District of
New York
271 Cadman Plaza East
Brooklyn, New York 11201

GRACE CHUNG BECKER
Acting Assistant Attorney
General
Civil Rights Division

By: 
SHANETTA Y. CUTLAR
Chief
Special Litigation Section
DANIEL H. WEISS
Deputy Chief
U.S. Department of Justice
Civil Rights Division
Special Litigation Section
950 Pennsylvania Ave., NW
Washington, DC 20530

For Nassau County, Nassau County Executive, Nassau County Sheriff's Department,
and Edward Reilly:

LORNA B. GOODMAN (LG 0561)
Nassau County Attorney

By: 
ELIZABETH J. LOCONSOLO
Deputy County Attorney
One West Street
Mineola, New York 11501

SO ORDERED THIS DAY 20th
OF March 2008

LEONARD B. WEXLER
U.S. District Judge

