

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

CV 02 2382 (LDW)

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

STIPULATION

Defendants.

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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 Correctional 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, addressing the United States' contentions that the County was deliberately indifferent to Nassau County Correctional Center's inmates medical needs and that Nassau County Correctional Center's correctional staff engaged in a pattern or practice of use of excessive force; and

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' joint expert, Steve Martin, having found the County to be in substantial compliance with the terms of the Agreement pertaining to the use of force (Section III, paragraphs 59-117 of the Settlement Agreement); and

The parties agreeing that the County has met its obligations with regard to the provisions of the Agreement pertaining to the use of force;

It is stipulated and agreed that those parts of the action pertaining to the use of force shall be dismissed; and

It is further stipulated and agreed that the aspects of the case pertaining to the provision of medical care to inmates at the Nassau County Correctional Center in the action shall remain on the Court's inactive docket pending Defendants' substantial

compliance with those provisions at which time the parties shall jointly move the Court to dismiss that aspect of the case.

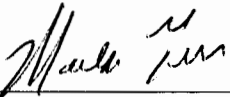
For the United States:

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PAMELA K. CHEN
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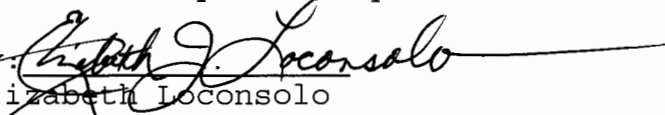
SHANETTA Y. CUTLAR
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For Nassau County, Nassau County Executive,
Nassau County Sheriff's Department, and Edward Reilly

LORNA B. GOODMAN (LBG 0561)
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By: 
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One West Street
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SO ORDERED:

U.S. District Judge

Date: _____