

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JOHNNY REYNOLDS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL ACTION NO.
)	2:85cv665-MHT
)	(WO)
ALABAMA DEPARTMENT OF)	
TRANSPORTATION, et al.,)	
)	
Defendants.)	

ORDER

This matter is before the court on three related motions: the defendants' motion for order on the pending motion for refund of contempt fines (doc. no. 8973); the defendants' motion for the refund of contempt fines (doc. no. 8751); and the intervenors' cross-motion for order confirming that fine funds shall be used for compensating victims of defendants' contempt (doc. no. 8830).

The use of contempt fines has been before the court previously in 2009 on the recommendation of the special master (doc. no. 8378). In 2009, the special master

recommended denying without prejudice the intervenors' motion for further orders regarding disposition of contempt fines (doc. no. 8361) and the defendants' motion to recover contempt fines (doc. no. 8179). The special master recommended that no action be taken with respect to the use of contempt fines until the pending issues in the lawsuit are resolved. The court overruled objections from the plaintiffs and intervenors and adopted the special master's recommendation (doc. no. 8480 & 8481). The contempt fines are being held within the court's registry.

It is still premature to resolve whether the contempt fines should be used in the manner suggested by the defendants and the intervenors. That determination will be made later.

Accordingly, it is ORDERED as follows:

(1) The defendants' motion for order on the pending motion for refund of contempt fines (doc. no. 8973) is granted.

(2) The defendants' motion for the refund of contempt fines (doc. no. 8751) and the intervenors' cross-motion for order confirming that fine funds shall be used for compensating victims of defendants' contempt (doc. no. 8830) are denied without prejudice subject to being refiled.

DONE, this the 20th day of November, 2014.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE