

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

EDWARD BRAGGS, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 JEFFERSON S. DUNN, in his)
 official capacity as)
 Commissioner of)
 the Alabama Department of)
 Corrections, et al.,)
)
 Defendants.)

CIVIL ACTION NO.
2:14cv601-MHT
(WO)

PHASE 2A REVISED REMEDY SCHEDULING ORDER
ON THE EIGHTH AMENDMENT CLAIM

Based on the representations made on the record on
March 14, 2019, it is ORDERED that the remaining
deadlines and dates for the Phase 2A remedy scheduling
order for the Eighth Amendment claim are revised as
follows:

	OLD DATES	NEW DATES
SEGREGATION		
Parties to develop schemes to verify that defendants are now accurately and timely identifying SMI inmates with regard to segregation	Continued generally pending mediation and resolution of the monitoring issue	
In-person oral argument on how to proceed on remedies for violations found in supplemental liability opinion. (doc. nos. 2353, 2397, & 2398).	To be reset.	5/14/19 at 10:00 a.m.
HOSPITAL-LEVEL CARE		
Parties to file initial briefs for upcoming oral argument.		5/1/19 at noon
Parties to file reply briefs for upcoming oral argument.		5/8/19 at noon
In-person oral argument to discuss "what the substantive law is" and "how" to proceed in light of defendants' statement as to whether revised stipulations meet the PLRA's 'need-narrowness-intrusiveness' requirements. (doc. nos. 2383 & 2382). Counsel for plaintiffs have already said that they do.	To be reset.	5/14/19 at 10:00 a.m.
SUICIDE PREVENTION		
Oral argument and hearing on parties' joint proposals on 'methods' defendants can use to verify that segregation rounds are being properly conducted in segregation and segregation-like settings. (doc. nos. 2345, 2380, 2410, & 2414.).	3/27/19 at 9:00 a.m.	
Oral argument and hearing parties' submission of list of the agreed-upon segregation-like settings, as well as the settings	3/27/19 at 9:00 a.m.	

about which they may not be able to reach an agreement. (doc. nos. 2345 & 2364).		
Oral argument and hearing on defendants' development of a 'review process' that collects and consolidates information on at least a weekly basis for each prisoner in ADOC with SMI who is housed in segregation; that is, a "tracking process." (doc. nos. 2345, 2377, & 2406-07).	3/27/19 at 9:00 a.m.	
Oral argument and hearing on parties' submission of joint report to the court as to other prisons that do not place (or significantly limit the placement of) SMI prisoners in segregation. (doc. nos. 2345 & 2379).	3/27/19 at 9:00 a.m.	
Oral argument on how to proceed on defendants' initial submission of the results for "tracking process' of SMIs in segregation. (doc. nos. 2345, 2357, & 2408).	3/27/19 at 9:00 a.m.	
Pretrial briefs on all remaining issues, including but not limited to further addressing whether plaintiffs' motion for preliminary injunctions (doc. no. 2276) has been properly characterized as preliminary, rather than simply post-liability finding, relief and the legal and factual implications that should follow.	3/22/19 at noon	
Pretrial hearing on all remaining issues.	3/25/19 at 10:00 a.m., with the courtroom deputy to arrange for the hearing to be conducted by telephone	
Evidentiary hearing on plaintiffs' motion for preliminary injunctions. (doc. no. 2276)	3/27/19 through 4/10/19 at 9:00 a.m. each day	
Evidentiary hearing on all remaining issues.	3/27/19 through 4/10/19 at 9:00 a.m. each day	

DISCIPLINARY SANCTIONS		
Parties to file initial briefs for upcoming oral argument.		5/1/19 at noon
Parties to file reply briefs for upcoming oral argument.		5/8/19 at noon
In-person oral argument to discuss "what the substantive law is" and "how" to proceed in light of defendants' statement as to whether revised stipulations meet the PLRA's 'need-narrowness-intrusiveness' requirements. (doc. nos. 2384 & 2382). Counsel for plaintiffs have already said that they do.	To be reset.	5/14/19 at 10:00 a.m.
Parties to resubmit stipulations to address training issue. (doc. no. 2374).	3/21/19	
MONITORING		
Parties to file initial briefs for upcoming oral argument.		5/1/19 at noon
Parties to file reply briefs for upcoming oral argument.		5/8/19 at noon
In-person oral argument to discuss "what the substantive law is" and "how" to proceed as to the monitoring remedial issue in light of defendants' statement as to whether all remedial stipulations previously approved and adopted by the court meet the PLRA's 'need-narrowness-intrusiveness' requirements.		5/14/19 at 10:00 a.m.
MISCELLANEOUS		
Parties to file initial briefs for upcoming oral argument.		5/1/19 at noon
Parties to file reply briefs for upcoming oral argument.		5/8/19 at noon

In-person oral argument to discuss "what the substantive law is" and "how" to proceed in light of defendants' statement as to whether all remedial stipulations previously approved and adopted by the court meet the PLRA's 'need-narrowness-intrusiveness' requirements. (doc. no. 2382). Counsel for plaintiffs have already said that they do.	To be reset.	5/14/19 at 10:00 a.m.
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DONE, this the 15th day of March, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE