

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

EDWARD BRAGGS, et al.,)	
)	
Plaintiffs,)	
)	CIVIL ACTION NO.
v.)	2:14cv601-MHT
)	(WO)
JEFFERSON S. DUNN, in his)	
official capacity as)	
Commissioner of)	
the Alabama Department of)	
Corrections, et al.,)	
)	
Defendants.)	

ORDER

In its opinion and order laying out the process for finalizing the Phase 2A remedial orders, the court rejected the plaintiffs' proposed plan as relegating the external monitoring team (EMT) to a role that was too passive and agreed with the defendants that it would be vital to seek the input of the EMT during the development of the omnibus remedial order. See Opinion and Order on a Process for Finalizing the Phase 2A Remedial Orders (Doc. 3078) at 21. As the court emphasized, the EMT is "an invaluable source of expertise for the development of appropriate relief in this case and a central player in this litigation as the current

phase moves into monitoring." *Id.* at 20. After mediating, the parties filed a joint agreement on the role of the EMT, proposing that the team would "be available to assist the Court in evaluating the final, omnibus remedial order after the presentation of evidence during the evidentiary hearing starting on May 24, 2021." Joint Notice and Report to the Court Regarding the Role of the External Monitoring Team (Doc. 3128) at 3. The court approved and adopted that proposal. *See* Order (Doc. 3132).

Now that the presentation of evidence is moving toward its conclusion, the court believes that it is the appropriate time to incorporate the EMT into the omnibus remedial hearings. In particular, the court intends to consult with the EMT during the process of discussing the parties' proposed remedial orders on a provision-by-provision basis, as the team members will have important insight into whether certain provisions could be guidance for the EMT rather than part of the court's order. However, the court would like input from the parties about how best to involve the EMT in this discussion. Accordingly, it is ORDERED that by 5:00 p.m. on June 30, 2021, the parties shall each file a proposal

for how to incorporate the EMT into the remaining portion of the omnibus remedial hearing.

DONE, this the 22nd day of June, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE