

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THE STATE OF INDIANA, et al.,

Defendants.

) Civil No.
)
) **1:06-cv-0201-RLY-TAB**
)
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)
) **ORDER OF**
) **CONDITIONAL**
) **DISMISSAL**
)
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)
)

Plaintiff, the United States of America, and Defendants, the State of Indiana, et al., have determined that the interests of all concerned parties can best be served by entering into a Settlement Agreement for the implementation of needed improvements in the operation of the Logansport Intake/Diagnostic Juvenile Correctional Facility and South Bend Juvenile Correctional Facility, two juvenile justice facilities operated by the Indiana Department of Correction. In recognition of these interests and to avoid adversarial litigation, the parties have entered into a Settlement Agreement, attached to their Joint Motion for Conditional Dismissal, to settle this matter and have moved this Court, pursuant to Fed. R. Civ. P. 41(a)(2), to (1) dismiss the complaint with prejudice upon the passage of three (3) years from the date of its filing or the State's earlier substantial compliance with the terms of the Settlement

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Agreement; (2) place the case on the Court's inactive docket; and (3) retain jurisdiction over the case until three (3) years have passed or an earlier final dismissal with prejudice is entered. The parties acknowledge that their Settlement Agreement shall terminate definitively and unconditionally no later than three (3) years from its effective date.

Having reviewed the joint motion and for good cause shown;

IT IS HEREBY ORDERED that this case shall be placed on this Court's inactive docket; this case shall be dismissed with prejudice upon the passage of three (3) years from the date of its filing or the State's earlier substantial compliance with the terms of the Settlement Agreement; and this Court will retain jurisdiction over the case until three (3) years have passed or an earlier final dismissal with prejudice is entered.

IT IS SO ORDERED

Judge
United States District
Southern District of Indiana

Copies to:

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