

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

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Case No. 4:92-CV-110

Hon. Richard Alan Enslen

**PERMANENT INJUNCTION**

In accordance with the Court's Findings of Fact and Conclusions of Law entered this date:

**IT IS HEREBY ORDERED** that the additional exhibits and post-hearing filings of the parties referenced in the Findings of Fact and Conclusions of Law are **ADMITTED** for the purpose of the record of the proceedings.

**IT IS FURTHER ORDERED** that Plaintiffs' Motion for Order to Show Cause and Motion for Further Relief (Dkt. Nos. 2099 & 2105) are **GRANTED IN PART AND DENIED IN PART**.

**IT IS FURTHER ORDERED** that Defendants are held in contempt for violation of the JMF hiring requirements of the Preliminary Injunction Plan and Order of Jan. 12, 2006.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall promptly remedy their contempt regarding the JMF hiring requirements subject to the coercive provisions of § IIB.5 of the Court's Findings of Fact and Conclusions of Law.

**IT IS FURTHER ORDERED** that Defendants are held in contempt regarding the full-time physician hiring requirement within the dialysis unit of the Preliminary Injunction Plan and Order of Jan. 12, 2006.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall promptly remedy their contempt regarding the full-time physician position subject to the coercive provisions of § IIB.6 of the Court's Findings of Fact and Conclusions of Law.

**IT IS FURTHER ORDERED** that the terms of the Preliminary Injunction Plan and Order of Jan. 12, 2006 are **APPROVED AND ADOPTED** as the Final and Permanent Injunction in this matter together with the additions described herein.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, are **HEREBY ENJOINED** to complete the implementation of SERAPIS as to DWH and C-Unit lab orders and medications, and to establish connectivity and utility of SERAPIS with the electronic systems of PharmaCorr, Inc. regarding on-going pharmacy services on or before February 1, 2007.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall provide additional staffing throughout its *Hadix* facilities, and particularly, additional nursing staff; the exact staffing levels, shall be determined after further study and hearing. Defendants' staffing plan shall be filed within 90 days of this date, consistent with § IIC.2 of the Findings of Fact and Conclusions of Law.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall redress delays in specialty care through a plan, to be filed within 90 days, which is accordance with § IIC.3 of the Findings of Fact and Conclusions of Law.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall redress failed medical care, through a plan which creates an Office of the Independent Monitor on the grounds of the *Hadix* facilities, which Plan shall be consistent with the Court's instructions in § IIC.8 of the Findings of Fact and Conclusions of Law and which shall be filed within 90 days.

**IT IS FURTHER ORDERED** that all other relief sought by Plaintiffs is **DENIED**, though requests for heat-related remedies are **DENIED WITHOUT PREJUDICE** subject to further hearing.

DATED in Kalamazoo, MI:  
December 7, 2006

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE