

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EVERETT HADIX, et al.,

Plaintiffs,

CASE NO. 4:92-CV-110

v.

HON. ROBERT J. JONKER

PATRICIA CARUSO, et al.,

Defendants.

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REVISED ORDER

This matter came up for hearing on August 29, 2007, on the matters specified in the Notice of Hearing. (Dkt. No. 2588.) A transcript of the hearing is on file. (Dkt. No. 2621.) Based on the written and oral arguments of the parties, and on all matters of record,

IT IS ORDERED:

1. Defendants' Motion to Terminate Jurisdiction over SMT B-Unit (Dkt. No. 2540) is GRANTED to the extent that under 18 U.S.C. § 3626 all injunctive relief in this case regarding SMT B-Unit is terminated, and DENIED in all other respects.

2. Plaintiff's Motion for Order to Show Cause and for contempt sanctions regarding SERAPIS connectivity (Dkt. No. 2537) is GRANTED, and Defendants are fined \$1,000 per day from the Court-imposed deadline of February 1, 2007, to the day of compliance; provided, however, that if Defendants establish connectivity by October 31,

2007 – as their counsel represents they are able to do – the contempt will be purged and no fines will be imposed, levied or collected;

3. Plaintiffs' Motion for Order to Show Cause and for contempt sanctions regarding Defendants' proposed Mental Health Plan (Dkt. No. 2485) is DENIED; however, this Court's evaluation of whether Defendants' Plan complies with applicable law, including this Court's prior orders, is reserved; and

4. The questions framed by the United States Court of Appeals for the Sixth Circuit (Dkt. No. 2508) for this Court's consideration on prisoner transfer issues are answered as provided in the accompanying Opinion; and the most current Transfer Plan submitted by Defendants (Dkt. No. 2593) is APPROVED; provided, however, that this portion of the Court's Order is stayed until the Court of Appeals issues its mandate in pending appeals affecting the Transfer Plan and related transfer issues.

Dated: September 10, 2007

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE