

cc: JMS

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

DEC 29 2008
at 12 o'clock and 37 min. P.M.
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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
STATE OF HAWAII, et al.,)
)
Defendants.)
_____)

CIVIL NO. **CIV 08 00585 JMS KSC**
JOINT MOTION FOR EXPEDITED
ENTRY OF STIPULATED
CONDITIONAL DISMISSAL PURSUANT
TO RULE 41(a)(1) OF THE
FEDERAL RULES OF CIVIL
PROCEDURE; ORDER
Proposed

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)
)
 Plaintiff,) Civil Action No.
)
 v.)
)
 STATE OF HAWAII, et al.,)
)
 Defendants.)
 _____)

JOINT MOTION FOR EXPEDITED ENTRY OF STIPULATED CONDITIONAL
DISMISSAL PURSUANT TO RULE 41(a)(1)
OF THE FEDERAL RULES OF CIVIL PROCEDURE

Plaintiff, United States and Defendants, State of Hawaii, et al., having entered into a Settlement Agreement concerning conditions of mental health care for detainees at the Oahu Community Correctional Center, jointly move this Court to enter the Proposed Order of Stipulated Conditional Dismissal Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Final dismissal with prejudice will be determined by the terms of the Settlement Agreement. The Settlement Agreement is attached hereto.

The parties agree that the provisions of the Settlement Agreement represent a fair, adequate and reasonable resolution to this lawsuit. See United States v. State of Colorado, 937 F.2d 505, 509 (10th Cir. 1991).

In order for the parties, particularly the State of Hawaii, to proceed forward as expeditiously and effectively as possible, the parties agree that it is in the best interest of all

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concerned if the Court were to move as quickly as possible to dismiss this matter according to the terms of the Settlement Agreement.

Therefore, the parties respectfully request that the Court enter the Proposed Order and place the case on its inactive docket (or the equivalent thereof) while retaining jurisdiction over the case pursuant to the terms of the Settlement Agreement attached to this Joint Motion.

Respectfully submitted,

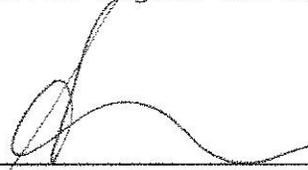
FOR THE UNITED STATES:

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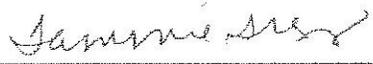


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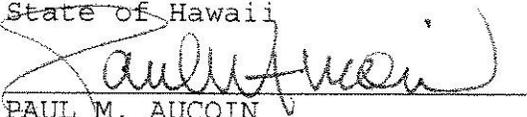
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