

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

G.L., An Infant, by and through his)
NEXT FRIENDS, et al., on his own behalf)
And on behalf of all others similarly situated,)
)
Plaintiffs,)
)
v.)
)
K. GARY SHERMAN, et. al.,)
)
Defendants.)

No. 77-CV-0242-DW

**ORDER OF DISMISSAL UPON CONDITIONS
WITHOUT PREJUDICE**

Before the Court is the stipulated motion of the parties to dismiss this case with conditions and *without prejudice*. The Court has reviewed the motion and the Consent Decree Monitoring Committee's most recent Monitoring Report and has met with counsel and with the Monitoring Committee. The Court finds that Defendants have sufficiently complied with the provisions of the Amended Modified Consent Decree of April 1, 2004 to warrant a dismissal without prejudice subject to conditions agreed upon by the parties. The Court GRANTS the motion, and incorporates into this Order the attached Conditions of Dismissal Without Prejudice (Doc. 311, Ex. 1). It is therefore

ORDERED that this case is dismissed *without prejudice* on the condition that Defendants keep in place the policies, practices and positions created pursuant to the Amended Modified Consent Decree. The Court retains jurisdiction for the purpose of enforcing these conditions upon dismissal. If no motion to reinstate the case is pending before the Court on June 30, 2009, this case will be dismissed *with prejudice* on that date.

IT IS SO ORDERED.

/s/ Dean Whipple
Dean Whipple
United States District Court

Date: February 1, 2006