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7 Attorneys for Defendants COUNTY OF TEHAMA, et al.
8



9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 DENNIS WYCKOFF, et al.)
12 Plaintiffs,)
13 vs.)
14 THE COUNTY OF TEHAMA, et al.)
15 Defendants.)

NO. CIV-S 92 1472 GEB JFM
NOTICE OF CLASS ACTION
SETTLEMENT AGREEMENT

16 TO ALL PRISONERS IN THE TEHAMA COUNTY JAIL:

17 PLEASE TAKE NOTICE that on April 23, 1998 at 10:00 a.m. in
18 Courtroom #8, in the United States District Court for the Eastern
19 District of California, at 650 Capitol Mall, Sacramento, Califor-
20 nia, before the Honorable John F. Moulds, Chief Magistrate Judge,
21 a class action "fairness hearing" will be heard to consider the
22 settlement reached between the parties concerning the above
23 referenced class action case. Specifically, the parties have
24 agreed upon the following:
25

- 26 1. The "old side" of the Tehama
27 County Jail shall operate with a
28

916

1 maximum bed capacity of 106. All
2 prisoners shall be afforded an ele-
3 vated bed upon being housed. Defen-
4 dants shall made best efforts not to
5 utilize all tiers of the triple
6 bunks in place in the old side of
7 the Jail, and if it is necessary to
8 utilize all three tiers of a triple
9 bunk, defendants shall make best
10 efforts to remove prisoners from the
11 third tier as soon as possible.

12
13 2. Defendants shall inform Paul
14 Persons, the attorney designated by
15 plaintiffs to monitor the Tehama
16 County Jail, concerning the popula-
17 tion of the old side of the Jail as
18 follows: whenever the old side of
19 the Jail operates at 90% of its 106
20 bed maximum capacity [95 beds] for
21 thirty [30] continuous nights, de-
22 fendants shall notify plaintiffs'
23 counsel in writing.

24
25 3. Defendants shall pay attorney
26 fees and costs to Paul Persons, the
27 attorney for plaintiffs, in the
28 amount of \$55,000.00 within twenty

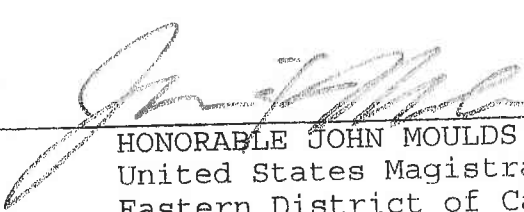
1 [20] days after the Court enters a
2 final judgement in this matter.
3

4 Any prisoner who objects to this proposed Class
5 Action Settlement shall make his or her objection in writing and
6 shall mail that objection to the United States District Court,
7 Clerks Office, 650 Capitol Mall, Sacramento, California, 96814 on
8 or before April 9, 1998 . All such objections shall
9 clearly note the name of this action and the case number, as set
10 forth above.

11 Prisoners who have questions concerning the proposed
12 settlement should contact the attorney for the plaintiff class:
13 Paul Persons, 1834 Arroyo Canyon, Chico, California, 95928 [(530)
14 893-4710].

15
16 IT IS SO ORDERED.

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18
19 DATED: February 24, 1998


HONORABLE JOHN MOULDS
United States Magistrate Judge
Eastern District of California

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PROOF OF SERVICE BY MAIL

I, REBECCA BOVEE declare:

I am a citizen of the United States and employed in Tehama County, California; I am over the age of (18) eighteen years and not a party to the within action; my business address is 633 Washington Street, Red Bluff, California.

On February 20, 1998 I served a copy of the attached document described as a proposed **NOTICE OF CLASS ACTION SETTLEMENT AGREEMENT** on the parties of record in said cause by placing a true and correct copy thereof enclosed in a sealed envelope and addressed as follows:

PAUL T. PERSONS
ATTORNEY AT LAW
1834 ARROYO CANYON
CHICO CA 95928

I am readily familiar with the office's practice for collection and processing correspondence for mailing with the United States Postal Service and, in the ordinary course of business, the correspondence will be deposited with the United States Postal Service on the same day mentioned above.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on February 20, 1998 at Red Bluff, California.


REBECCA BOVEE

United States District Court
for the
Eastern District of California
February 25, 1998

* * CERTIFICATE OF SERVICE * *

2:92-cv-01472

Wyckoff

v.

Tehama

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Eastern District of California.

That on February 25, 1998, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Paul T Persons
Law Offices of Paul T Persons
1834 Arroyo Canyon
Chico, CA 95928

CF/JFM

SF/GEB

John H Hagar Jr
Law Offices of John H Hagar
P O Box 86935
Los Angeles, CA 90086-0935

Nelson Dean Buck
Tehama County Counsel
Courthouse
Red Bluff, CA 96080

Jack L. Wagner, Clerk

BY: 

Deputy Clerk