

1 JOHN HAGAR [State Bar #80139]  
LAW OFFICE OF JOHN HAGAR  
2 P.O. Box 86935  
Los Angeles, CA 90086-0935  
3 (213) 626-2089

4 NELSON D. BUCK [State Bar #56639]  
County Counsel  
5 County of Tehama  
Courthouse  
6 Red Bluff, CA 96080  
(916) 527-9252

**FILED**

APR 24 1998

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY \_\_\_\_\_  
DEPUTY CLERK

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.	)	NO. CIV-S 92 1472 GEB JFM
	)	
12 Plaintiffs,	)	STIPULATION RE FINAL
	)	SETTLEMENT AGREEMENT;
13 vs.	)	ORDER
	)	
14 THE COUNTY OF TEHAMA, et al.	)	
	)	
15 Defendants.	)	
	)	

17 The parties hereby agree and stipulate to the following four  
18 paragraph final settlement agreement, which is intended to resolve  
19 all remaining issues in this litigation:

20 1. The "old side" of the Tehama County Jail shall  
21 operate with a maximum bed capacity of 106. All prisoners shall be  
22 afforded an elevated bed upon being housed. Defendants shall make  
23 best efforts not to utilize all tiers of the triple bunks in place  
24 in the old side of the Jail, and if it is necessary to utilize all  
25 three tiers of a triple bunk, defendants shall make best efforts to  
26 remove prisoners from the third tier as soon as possible.  
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2. Defendants shall inform Paul Persons, the attorney designated by plaintiffs to monitor the Tehama County Jail, concerning the population of the old side of the Jail as follows: whenever the old side of the Jail operates at 90% of its 106 bed maximum capacity [95 beds] for thirty [30] continuous nights, defendants shall notify plaintiffs' counsel in writing.

3. Defendants shall pay attorney fees and costs to Paul Persons, the attorney for plaintiffs, in the amount of \$55,000.00 within twenty [20] days after the Court enters a final judgement in this matter.

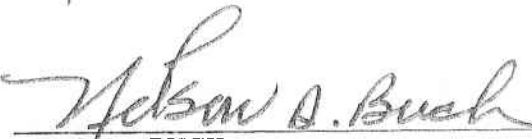
4. This stipulation is the final settlement of all claims between the parties, including all claims for costs and attorney fees.

IT IS SO STIPULATED:

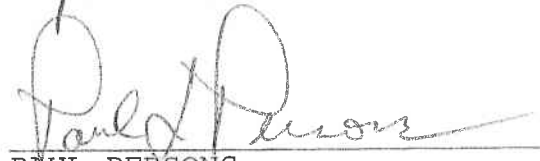
DATED: February 7, 1998

  
\_\_\_\_\_  
JOHN HAGAR  
Attorney for Defendants

DATED: February 20<sup>th</sup>, 1998

  
\_\_\_\_\_  
NELSON BUCK  
Attorney for Defendants

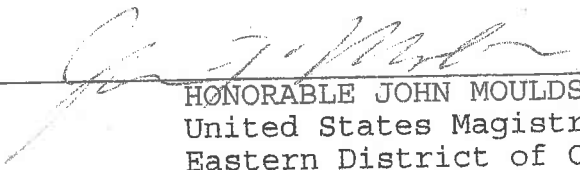
DATED: February 12, 1998

  
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PAUL PERSONS  
Attorney for Plaintiffs

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ORDER

IT IS SO RECOMMENDED,

DATED: April 23, 1998   
HONORABLE JOHN MOULDS  
United States Magistrate Judge  
Eastern District of California

IT IS SO ORDERED.

DATED: ~~March~~ April 23, 1998   
HONORABLE GARLAND E. BURRELL  
U.S. District Court Judge  
Eastern District of California



\* \* CERTIFICATE OF SERVICE \* \*

2:92-cv-01472

Wyckoff

v.

Tehama

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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 April 24, 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

SF/GEB

CF/JFM

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: *J. Carlson*  
Deputy Clerk