

IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

FILED  
APR 9 2008  
9:32 AM  
SOUTHERN DISTRICT  
OF INDIANA  
LAURA A. BRIGGS  
CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THE MARION SUPERIOR COURT, et al.,

Defendants.

08-07-0460-LJM-TAB

Civil Action No. A. BRIGGS  
CLERK

JOINT MOTION FOR  
CONDITIONAL  
DISMISSAL

The United States, Plaintiff, and the Marion Superior Court, et al., Defendants, have determined that the interests of all concerned parties can best be served by entering into the Settlement Agreement attached as Exhibit A to this Motion, concerning the implementation of needed improvements in the operation of the Marion Superior Court Juvenile Detention Center. In recognition of these interests and to avoid adversarial litigation, the parties jointly move this Court for entry of an Order conditionally dismissing this action, pursuant to Fed. R. Civ. P. 41(a)(2), conditional upon Defendants achieving substantial compliance with the terms of the Settlement Agreement within three years.

The parties respectfully request that the Court place the case on its inactive docket for a period of three years while retaining jurisdiction over the case until a final dismissal with prejudice is entered.

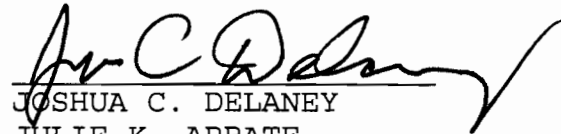
DATED this 7 day of APRIL, 2008.

Respectfully submitted,

TIMOTHY M. MORRISON  
United States Attorney

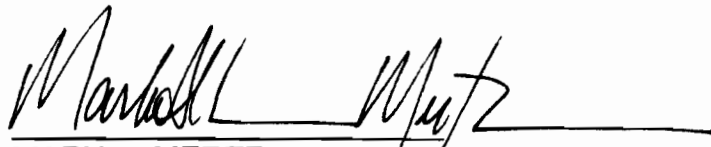


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FOR THE MARION SUPERIOR COURT:

A handwritten signature in black ink, appearing to read "Mark A. Mertz", written over a horizontal line.

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Having reviewed the Joint Motion for Conditional Dismissal and for good cause shown;

IT IS HEREBY ORDERED that this case is conditionally dismissed and shall be placed on the inactive docket for a period of three years pending compliance with the Settlement Agreement lodged with the Court. This Court will retain jurisdiction over the case, pending compliance with the Settlement Agreement, until a final dismissal with prejudice is entered.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
United States District Judge

Copies to:

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