

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

FILED
MIDDLE DISTRICT COURT
OF LA.
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SIGN
RICHARD T. MARTIN
CLERK

THE UNITED STATES OF AMERICA,
Plaintiff,

v.

THE STATE OF LOUISIANA, et al.
Defendants.

Civil Action
No.

98-947-B-1

MEMORANDUM IN SUPPORT OF MOTION TO CONSOLIDATE

The United States moves that the above-encaptioned action be consolidated with several other actions currently pending before this Court relating to conditions of confinement in Louisiana's secure juvenile facilities. These prior actions, and the United State's lawsuit, share common issues of law and fact and, therefore, appropriate for consolidated proceedings before this Court.

The United States has been participating as amicus in Williams v. McKeithen and the related "in re" actions involving the individual juvenile facilities. On September 16, 1998, this Court ordered hearings in those cases to determine whether further relief was warranted in those actions to address violations of federal law in the juvenile facilities. At the time of that order, the Court was aware that Barry A. v. Stalder was pending in the Eastern District, addressing similar conditions of confinement issues at the Tallulah Correctional Center for Youth, and that it was likely to be transferred to this Court. Since the issuance of that order, Barry A. has been

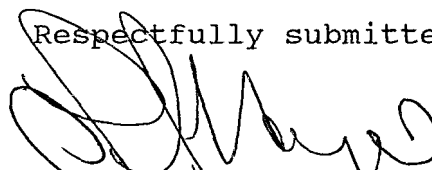


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transferred (and amended to become Brian B. v. Stalder) and its equitable claims will be heard by this Court. The basis for further relief in the Williams cases, the claims for equitable relief in Brian B. and the claims raised in the United State's complaint present common questions of both law and fact that make these cases suitable for joint adjudication. Separate treatment would result in much duplication of discovery, presentation of evidence and legal arguments.

Therefore, the United States respectfully requests that this Court grant its motion to consolidate.

Respectfully submitted,



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