

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CONCERNED PASTORS FOR SOCIAL
ACTION, et al.,

Plaintiffs,

v.

NICK A. KHOURI, et al.,

Defendants.

Case No. 16-10277

Hon. David M. Lawson

Mag. J. Stephanie Dawkins Davis

**STIPULATION REGARDING PLAINTIFFS' MOTION TO ENFORCE
SETTLEMENT AGREEMENT**

On December 27, 2018, Plaintiffs Concerned Pastors for Social Action, Melissa Mays, American Civil Liberties Union of Michigan, and Natural Resources Defense Council moved to enforce the parties' Settlement Agreement (ECF No. 147-1) alleging that Defendants City of Flint and City Administrator (together, the City) were violating the Agreement's disclosure requirements. *See* Pls.' Br. Supp. Mot. to Enforce Settlement Agmt. (Mot.), ECF No. 155. The City opposed the motion (*see* City Defs.' Resp., ECF No. 157) and, on January 23, 2018, the Court held a hearing on the motion. Tr. of Hr'g on Mot., ECF No. 162. At the hearing, the Court took Plaintiffs' motion under advisement until the conclusion of the three-month reporting period ending February 28, 2018, and the City's submission of its status report, and encouraged the parties to reach a

stipulation with respect to the motion. *Id.* at 26:7-27:15. The Court also indicated it would permit supplemental briefing by Plaintiffs and the City, due March 15, 2018, and March 22, 2018, respectively. *Id.*

In lieu of that supplemental briefing, Plaintiffs and the City¹ hereby stipulate to the Court's entry of an order providing that:

1. Plaintiffs' Motion to Enforce the Settlement Agreement, ECF No. 155, will be held open for two additional three-month reporting periods, until September 18, 2018;²

2. In all future status reports for the duration of the Agreement, the City will provide the data described in Paragraph 117.c.ii.5 in a reasonably usable format that shows in a single dataset or spreadsheet, for each address at which a service line was replaced: the date of service line replacement; the date(s) and time(s) of any visit from the City or its contractors to verify whether a faucet filter was properly installed following service line replacement; and the result of any such visit(s) (i.e., whether verification was successful);

3. Plaintiffs may seek additional intervention by the Court if, during the pendency of the motion, the City's status reports under Paragraph 117 or responses

¹ The State Defendants take no position on this stipulation.

² The City is required to submit a status report on May 28, 2018, and another on August 28, 2018. Agmt. ¶ 117, ECF No. 147-1.

to information requests under Paragraph 118 are incomplete, inaccurate, or untimely;

4. Plaintiffs may file a supplemental brief identifying a proposed resolution of the Motion to Enforce (ECF No. 155) no later than September 11, 2018, two weeks after the City's August 28, 2018 status report is due to Plaintiffs; and

5. The City may file a response to Plaintiffs' supplemental brief no later than September 18, 2018.

Dated: March 15, 2018

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on March 15, 2018, I electronically filed the foregoing Stipulation with the Clerk of the Court using the ECF system.

/s/ Dimple Chaudhary

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