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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Prison Legal News,
Plaintiff,
v.
Charles L Ryan, et al.,
Defendants.

No. CV-15-02245-PHX-ROS
ORDER

The parties have filed a Notice of Partial Settlement (Doc. 296) and a Partial Settlement Agreement and Release (Doc. 300). The parties request the Court dismiss certain claims but retain jurisdiction to enforce the terms of their settlement. The parties have also filed a joint statement reciting their failure to agree on the language for the permanent injunction (Doc. 301).

The Court will dismiss some claims and retain jurisdiction over the partial settlement stipulation. The Court will enter a permanent injunction in the near future.

Accordingly,

IT IS ORDERED the terms of the parties’ Partial Settlement Agreement and Release, filed with the Court as Docket No. 300 (the “Partial Settlement Stipulation”) are incorporated herein by reference.

IT IS FURTHER ORDERED the Court shall retain jurisdiction to enforce the terms set forth in the Partial Settlement Stipulation.

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1 **IT IS FURTHER ORDERED** the trial scheduled for October 16-17, 2019, and all
2 associated pretrial deadlines and hearings, are hereby **VACATED**.

3 **IT IS FURTHER ORDERED** Plaintiff's claims for damages under the Due
4 Process Clause of the Fourteenth Amendment against Defendants Ryan and Olsen in their
5 individual capacities are hereby **DISMISSED WITH PREJUDICE** and Defendants Ryan
6 and Olsen are hereby **DISMISSED** as Defendants in their individual (but not official)
7 capacities **WITH PREJUDICE**.

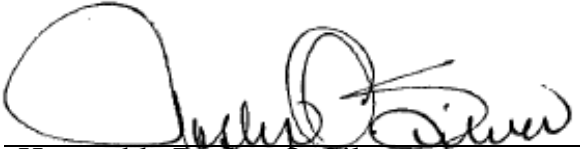
8 **IT IS FURTHER ORDERED** Plaintiff's claim for injunctive relief, and any
9 ensuing damages, under the First Amendment related to Defendants' refusal to deliver
10 Plaintiff's publication *The Ceiling of America* are hereby **DISMISSED WITH**
11 **PREJUDICE**.

12 It is expressly determined that there is no just reason for delay. It is therefore
13 directed that this Order be entered as a final judgment as to Plaintiff's claims for damages
14 under the Due Process Clause of the Fourteenth Amendment against Defendants Ryan and
15 Olsen in their individual capacities and Plaintiff's claim for injunctive relief, and any
16 ensuing damages, under the First Amendment related to Defendants' refusal to deliver
17 Plaintiff's publication *The Ceiling of America* under Federal Rule of Civil Procedure 54(b).

18 **IT IS FURTHER ORDERED** Plaintiff's motion for fees and costs pursuant to the
19 Partial Settlement Stipulation shall be filed after final disposition of the remaining claims
20 in this action pursuant to Federal Rule of Civil Procedure 54(d)(2), unless otherwise agreed
21 to or settled by the Parties.

22 An order entering a permanent injunction will issue in due course.

23 Dated this 2nd day of October, 2019.

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Honorable Roslyn O. Silver
Senior United States District Judge