

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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EVERETT HADIX, *et al.*,

Plaintiffs,

v.

PATRICIA L. CARUSO, *et al.*,

Defendants.

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Case No. 4:92-CV-110

Hon. Richard Alan Enslin

**AMENDED PRELIMINARY  
INJUNCTION\***

In accordance with the Court's findings of this date;

**IT IS HEREBY ORDERED** that Plaintiffs Everett Hadix, *et al.*'s Motion for Preliminary Injunction (Dkt. No. 1900) is **GRANTED**.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, are enjoined to submit a formal written plan for remedying the constitutional deprivations in medical care explained at the hearing of October 19, 2005 and in Plaintiffs' Motion for Preliminary Injunction within 30 days of this date.

**IT IS FURTHER ORDERED** that Defendants' plan shall accomplish the recommendations contained in Dr. Robert Cohen's Third Report, including, but not limited to the following:

1. Establish a unitary medical record system;
2. Assure access to care for all patients in segregation;
3. Provide adequate staffing to insure appropriate medical treatment at Dwayne Waters

Hospital, C-Unit, acute/infirmiry care, the segregation unit, and the dialysis program;

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\*This Preliminary Injunction is amended *nunc pro tunc* and does not intend an alteration of the time periods stated in the prior Preliminary Injunction.

4. Provide for assessment and medical review of all prisoner patient deaths and provide training to medical service providers concerning serious instances of inappropriate patient treatment;

5. Establish a program for effective supervision of medical service providers providing service within the *Hadix* facilities.

6. Establish an infirmary capacity at Dwayne Waters Hospital; and

7. Assure that specialty care services are available to all prisoners including those in segregation.

**IT IS FURTHER ORDERED** that Defendants, their agents and assigns, shall work cooperatively with special monitor Dr. Robert Cohen, M.D. in developing said plan.

**IT IS FURTHER ORDERED** that the case caption is hereby **AMENDED** to reflect the succession and appointment of Patricia L. Caruso as the Director of the Michigan Department of Corrections in accordance with Federal Rule of Civil Procedure 25(d).

**IT IS FURTHER ORDERED** that the Court finds this Injunction satisfies the requirements of 18 U.S.C. § 3626(a)(1) in that: the order is narrowly drawn, extends no further than necessary to correct the probable violation of Plaintiffs' constitutional rights under the Eighth Amendment, and is the least intrusive means necessary to correct the probable violation of those rights because it allows Defendants to design the relief appropriate to address the violation and because the Court has previously provided Defendants with multiple opportunities to address the violation.

DATED in Kalamazoo, MI:  
November 23, 2005

/s/ Richard Alan Enslen  
RICHARD ALAN ENSLEN  
SENIOR UNITED STATES DISTRICT JUDGE