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FRANCISCO ALVARADO, ZACHARY GRANADOS, TYNDALE
MOBLEY, and JOSEPH DEGUAIR, individually and on behalf of all
other similarly situated

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ANTHONY CHATMAN,
FRANCISCO ALVARADO,
ZACHARY GRANADOS,
TYNDALE MOBLEY, and
JOSEPH DEGUAIR, individually
and on behalf of all others similarly
situated,

Plaintiffs,

v.

MAX N. OTANI, Director of the
State of Hawai'i Department of
Public Safety, in his official
capacity,

Defendant.

CIVIL NO. 21-00268 JAO-KJM

STIPULATION AND ORDER

District Judge: Hon. Jill A. Otake

Magistrate Judge: Hon. Kenneth J.
Mansfield

STIPULATION AND ORDER

Plaintiffs ANTHONY CHATMAN, FRANCISCO ALVARADO, ZACHARY GRANADOS, TYNDALE MOBLEY, and JOSEPH DEGUAIR, individually and on behalf of all other similarly situated (“**Plaintiffs**”) and Defendant MAX N. OTANI, in his official capacity as the Director of the State of Hawai‘i Department of Public Safety (“**Defendant,**” and together with Plaintiffs, the “**Parties**”), respectfully submit the following stipulation and order:

WHEREAS, on July 13, 2021, the Court issued an Order (1) Granting Plaintiffs’ Motion for Provisional Class Certification and (2) Granting in Part and Denying in Part Plaintiffs’ Motion for Preliminary Injunction and Temporary Restraining Order (“**PI Order**”). ECF No. 37; *Chatman v. Otani*, Civil No. 21-00268 JAO-KJM, 2021 WL 2941990 (D. Haw. July 13, 2021);

WHEREAS, on September 2, 2021, the Parties executed a Settlement Agreement and General Release (“**Settlement Agreement**”) resolving the claims in this lawsuit;

WHEREAS, the Parties have jointly moved for final approval of the Parties’ settlement;

WHEREAS, the Court has set a Fed. R. Civ. P. Rule 23(e) fairness hearing for October 22, 2021 at 9:00 a.m.;

WHEREAS, the provisions of 18 U.S.C. § 3626(a) regulate the duration of the PI Order;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the Parties, that between now and the date the Court rules on the Parties' joint motion for final settlement approval, Defendant will comply with the terms of the Settlement Agreement and otherwise make best efforts to implement the Pandemic Response Plan and adapt it to the CDC guidelines based on best practices and recommendations from the Hawai'i Department of Health and the Agreement Monitoring Panel, and based on the individual facilities' physical space, staffing, population, operations, and other resources and conditions.

DATED: Honolulu, Hawai'i, September 24, 2021.

/s/ Skyler G. Cruz

CLARE E. CONNORS

Attorney General of the State of Hawai'i

CARON M. INAGAKI

KENDALL J. MOSER

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Deputy Attorneys General

Attorneys for Defendant MAX N. OTANI,
Director of the State of Hawai'i Department
of Public Safety, in his official capacity

DATED: Honolulu, Hawai‘i, September 24, 2021.

/s/ Kevin A. Yolken

Eric A. Seitz
Gina Szeto-Wong
Jonathan M. F. Loo
Kevin A. Yolken

Attorneys for Plaintiffs ANTHONY
CHATMAN, FRANCISCO ALVARADO,
ZACHARY GRANADOS, TYNDALE
MOBLEY, and JOSEPH DEGUAIR,
individually and on behalf of all other
similarly situated

APPROVED AND SO ORDERED:



A handwritten signature in black ink, appearing to read "Jill A. Otake".

Jill A. Otake
United States District Judge

CIVIL NO. 21-00268 JAO-KJM — STIPULATION AND ORDER