

**ENTERED**

June 01, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**KEITH COLE, et al.,**  
*Plaintiffs,*

**v.**

**BRYAN COLLIER, et al.,**  
*Defendants.*

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**CIVIL ACTION NO. 4:14-cv-1698**

**ORDER**

Before the Court is Defendants' Unopposed Motion to Terminate Sanctions and Contempt Proceedings (Motion). After due consideration, the Court grants the Motion and enters the following orders:

The Court orders TDCJ to create and provide additional written and video training materials as described in Part III of the Motion.

The Court orders TDCJ to maintain temperature and heat index measurements as described in Part III of the Motion while class members are incarcerated, and that such information is public information obtainable through the Public Information Act, without cost to the requestor.

The Court orders TDCJ to provide funding as described in Part III and Exhibit C of the Motion to: (1) allow Class Counsel to obtain an independent expert who will inspect the air conditioning currently at the Pack Unit to verify that air conditioning has been installed in accordance with the parties' settlement agreement and the Final Order and Judgment Approving Class Action Settlement and Attorneys' Fees (ECF 1188); and (2) pay for the cost of independent annual inspections of the air conditioning systems at the Pack Unit, the Estelle Unit, and the Stiles Unit during the summer months of the years 2022-2025, so that Plaintiffs through their counsel

may verify that the existing air conditioning is functioning and capable of maintaining a heat index below 88 degrees Fahrenheit on a consistent basis over the summer months. The Court orders TDCJ to make the results of these annual inspections available through Public Information Act requests made to TDCJ in accordance with the Texas Public Information Act.

The Court finds that Class Counsel have incurred attorney's fees in the amount of \$370,247.10, and that such fees were reasonably and necessarily incurred by Class Counsel in connection with the sanctions and contempt proceedings.

The Court orders TDCJ to pay Class Counsel their reasonable and necessary attorney's fees of \$370,247.10.

This order resolves the matters set out in the Court's December 11, 2019, Memorandum and Order (ECF 1504), including Plaintiffs' request for a show cause hearing, and Plaintiffs' Motion for Contempt, to Show Cause and for Sanctions (ECF 1459).

31 May 2022

  
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THE HONORABLE KEITH ELLISON