

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

BRIAN MAST, *et al.*,)
)
 Plaintiffs,)
)
 v.) No. 2:05-CV-037 LJM/WGH
)
 J. DAVID DONAHUE, *et al.*,)
)
 Defendants.)

ORDER CERTIFYING CASE AS CLASS ACTION

Come now plaintiffs, having filed their Motion for Class Certification, and the Court having read the Motion, and being duly advised, finds that all the requirements of Rule 23(a) and (b)(2) of the Federal Rules of Civil Procedure are met here and good cause exists to grant the Motion and to appoint counsel to represent the class, and,

IT IS THEREFORE ORDERED that this case is certified as a class for injunctive and declaratory relief pursuant to Rule 23(b)(2) of the Federal Rules of Civil Procedure concerning the legal issues of whether confinement of mentally ill prisoners in the Secured Housing Unit violates the Eighth Amendment to the United States Constitution.

IT IS FURTHER ORDERED that the class is defined as:

all prisoners currently, and in the future, confined within the Secured Housing Unit at the Wabash Valley Correctional Facility who are mentally ill.

IT IS FURTHER ORDERED that Kenneth J. Falk and David C. Fathi are appointed as counsel for the class pursuant to Rule 23(g) of the Federal Rules of Civil Procedure.

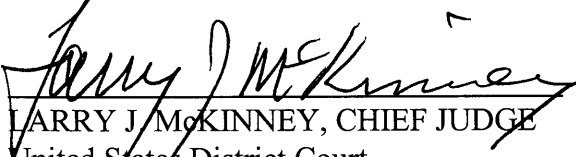
Date

cc:

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LARRY J. MCKINNEY, CHIEF JUDGE
United States District Court
Southern District of Indiana