

STATE OF MICHIGAN
IN THE COURT OF CLAIMS

JOHN CHAPPEL CAIN, RAYMOND C. WALEN, JR.,
ELTON FLOYD MIZELL, PAUL ALLEN DYE,
JOHN CHANDLER EWING, DELBERT M. FAULKNER,
C. PEPPER MOORE, RAMON COBOS, RONALD SIMPSON-BEY
On behalf of themselves and all others similarly situated,

HONORABLE JAMES R. GIDDINGS

Plaintiffs,

Case Nos: 88-61119-AZ
93-14975-CM
96-16341-CM

v.

MICHIGAN DEPARTMENT
OF CORRECTIONS

Defendant

Prison Legal Services of Michigan, Inc.
Attorneys for Plaintiffs
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STIPULATION REGARDING THE CAIN MONITOR

The parties, through counsel, stipulate as follows:

1. The November 23, 1992 Order of Reference, paragraph II.A.1. shall be modified
to read as follows:

A. 1. Complaints of the Defendant's noncompliance with the Court's Orders affecting Plaintiff class members shall be submitted to the Monitor by class representative Raymond C. Walen. When Plaintiff class members communicate directly with the Court, the Monitor or the Defendant regarding a complaint of noncompliance, those communications shall be referred by the Court, the Monitor or the Defendant to Prison Legal Services of Michigan, Inc. for revising, drafting, numbering and submission to the Monitor on a form approved by the Court.

2. Paragraph II.B. shall be amended to read as follows:

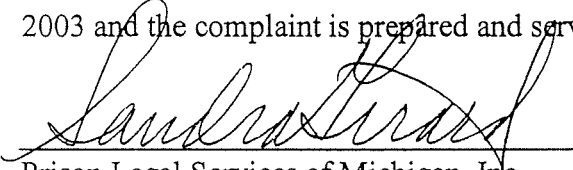
B. Within 21 days of receipt of the complaint form, the Monitor shall conduct an investigation of the complaint, make an initial recommendation, and serve it on Prison Legal Services of Michigan, Inc., and A. Peter Govorchin, Assistant Attorney General.

3. Paragraph II.C. shall be amended to read as follows:

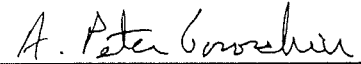
C. Objections to the initial recommendation, if any, shall be served on the other party and the Monitor within ten days of receipt by the objecting party of the initial recommendation.

4. Notwithstanding any other order of this Court, the *Cain* Monitor's duties and authority under any orders of this Court shall terminate effective February 1, 2004.

5. Prison Legal Services of Michigan, Inc. (PLSM) may prepare and file with the Monitor complaints alleging noncompliance with an order of this Court if the complaint of noncompliance is received from the prisoner class member by PLSM no later than November 1, 2003 and the complaint is prepared and served on the Monitor by January 2, 2004.


Prison Legal Services of Michigan, Inc.
Counsel for Plaintiffs
By: Sandra Girard (P33274)

10/14/03
Date


A. Peter Govorchin (P31161)
Allan J. Soros (P43702)
Assistant Attorneys General
Counsel for Defendant

10-14-03
Date

Govorchin/CAIN CASE/Settlement Documents/10 10 03 Stip Regarding Cain Monitor

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C. PEPPER MOORE, RAMON COBOS, RONALD SIMPSON-BEY
On behalf of themselves and all others similarly situated,

Plaintiffs,

HONORABLE JAMES R. GIDDINGS

Case Nos: 88-61119-AZ
93-14975-CM
96-16341-CM

v.

MICHIGAN DEPARTMENT
OF CORRECTIONS

Defendant

ORDER REGARDING A CAIN MONITOR

At a session of the Court held in Lansing, Michigan
on 10-14-03.

PRESENT: HON. JAMES R. GIDDINGS
Court of Claims Judge

This matter having come before the Court on the parties' Stipulation Regarding A Cain
Monitor and the Court being otherwise advised in the premises;

IT IS ORDERED as follows:

1. The November 23, 1992 Order of Reference, paragraph II.A.1. shall be modified
to read as follows:

A. 1. Complaints of the Defendant's noncompliance with the Court's Orders
affecting Plaintiff class members shall be submitted to the Monitor by class
representative Raymond C. Walen. When Plaintiff class members communicate
directly with the Court, the Monitor or the Defendant regarding a complaint of
noncompliance, those communications shall be referred by the Court, the Monitor
or the Defendant to Prison Legal Services of Michigan, Inc. for reviewing,

drafting, numbering and submission to the Monitor on a form approved by the Court.

2. Paragraph II.B. shall be amended to read as follows:

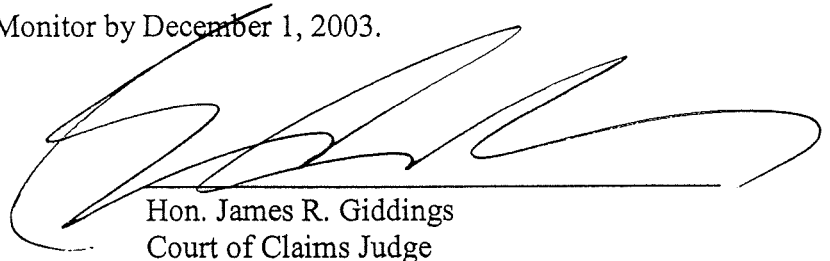
B. Within 21 days of receipt of the complaint form, the Monitor shall conduct an investigation of the complaint, make an initial recommendation, and serve it on Prison Legal Services of Michigan, Inc., and A. Peter Govorchin, Assistant Attorney General.

3. Paragraph II.C. shall be amended to read as follows:

C. Objections to the initial recommendation, if any, shall be served on the other party and the Monitor within ten days of receipt by the objecting party of the initial recommendation.

4. Notwithstanding any other order of this Court, the *Cain* Monitor's duties and authority under any orders of this Court shall terminate effective February 1, 2004.

5. Prison Legal Services of Michigan, Inc. may prepare and file with the Monitor complaints alleging noncompliance with an order of this Court if the complaint of noncompliance is received from the prisoner class member by October 24, 2003 and the complaint is prepared and served on the Monitor by December 1, 2003.

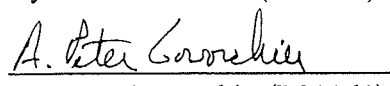


Hon. James R. Giddings
Court of Claims Judge

APPROVED AS TO FORM:



Prison Legal Services of Michigan, Inc.
Attorney for Plaintiffs
By: Sandra Girard (P33274)



A. Peter Govorchin (P31161)
Attorney for Defendant