

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MOHAMED A. EL-TABECH,

Plaintiff,

v.

HAROLD W. CLARKE, ET AL.

Defendants.

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Case No.: 4:04CV3231

ORDER

This matter came before the Court on the Parties' Joint Stipulation on the Feasibility of Defendant's Proposed Kosher Diet Option (Filing # 187) and Attachment # (1) Defendant's Kosher Equipment and Meal Preparation Process (Filing # 187-2). This Court, being fully advised in the premises, finds that this application should be granted.

IT IS HEREBY ORDERED as follows:

1. Defendants will implement the "Kosher Equipment and Meal Preparation Process" (the "Kosher Process") in compliance with this Court's July 17, 2007 Memorandum and Order to "provid[e] El-Tabech[,] and other prisoners similarly situated" who request a religious diet, with a nutritionally-sufficient kosher diet, in accordance with Nebraska Department of Corrections Services policies and procedures and subject to the following:
 - a. Development and implementation of operational memoranda, protocols, post orders or other similar documents to ensure the adequacy of the Kosher Process to provide kosher meals that are nutritionally sufficient; and

- b. The allowance of a person with expertise in the area of kosher diet preparation and service to provide an independent verification of the adequacy of the Kosher Process, once implemented by the Nebraska Department of Corrections Services Food Services Division (“DCSFS”), to meet Defendants’ stated commitment to never serve Mr. El-Tabech non-kosher food (“Kosher Process” at 1 ¶ 2). The input of this person will be considered by DCSFS to ensure the Kosher Process is adequate.

Dated this 5th day of October, 2007.

BY THE COURT:

s/ Joseph F. Bataillon
District Court Judge