

FILED

MAY 6 1994

CLERK, U. S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN B. CRUZ, et al.,

Plaintiff,

No. CIV F-93-5070 GGH

vs.

COUNTY OF FRESNO, et al.,

Defendants.

ORDER

_____/

By stipulation and order filed February 25, 1994, the parties in this action consented to the undersigned for the purposes of effectuating the settlement of this action. The undersigned had initially presided as settlement judge. After the parties had reached settlement of this class action, this court scheduled a fairness hearing for April 26, 1994. By inadvertent orders, the case was transferred to Fresno (Order of April 4, 1994), which order was later vacated by Clerk minute order (April 8, 1994). This court hereby vacates both the April 4, 1994, and April 8, 1994 orders, and enters this final order.

1 The scheduled fairness hearing was held on April 26,
2 1994. Paul Comiskey represented the plaintiff class; John Hagar
3 represented the defendants. Pursuant to court order, the class,
4 including the named plaintiffs, received notice of the proposed
5 consent decree. No objection to the class settlement agreement
6 was made.^{1/}

7 After due notice, IT IS HEREBY ORDERED, ADJUDGED AND
8 DECREED as follows:

9 1. That the Settlement Agreement reached by the parties
10 is approved and found to be fair, adequate, and reasonable;

11 2. That the Clerk is ordered to enter final judgment in
12 favor of plaintiffs in conformance with the Stipulation Re
13 Permanent Injunction; Order of February 25, 1994;

14 3. That pursuant to Fed. R. Civ. P. 23(c)(3), the
15 judgment applies to the following class:

16 All present and future prisoners in the following
17 Fresno County Jails: the North Annex, South Annex
18 and Main Jail.

19 4. That defendants shall pay attorneys' fees
20 expeditiously pursuant to the terms of the Stipulation Re
21 Permanent Injunction; Order of February 25, 1994. In any event,

22 \\\


23 \\\

24 _____
25 ^{1/} Counsel received one "objection" from an inmate; however, this
26 objection was a complaint by a prisoner who was disputing matters in
his underlying criminal proceedings. The court does not consider the
complaint to be an objection to the settlement.

1 said costs and fees shall be paid no later than thirty days from
2 the date of entry of judgment.

3 IT IS SO ORDERED.

4 DATED: May 6, 1994.

5
6 
7 GREGORY G. HOLLOWS
8 U.S. Magistrate Judge

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
GGH:gh:dn
Cruz.set