

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JEFFERY PRESLEY, et al.

PLAINTIFFS

v. No.

4:05CV148-JAD

CHRISTOPHER EPPS, et al.,

DEFENDANTS

STIPULATED ORDER AWARDING FEES AND EXPENSES

Plaintiffs, Jeffery Presley, et al, as a prevailing party in an action brought under 42 U.S.C. §1983, has sought an award of legal fees and expenses pursuant to 42 U.S.C. §1988, in a sum exceeding \$323,000. The parties to this proceeding, acting through their counsel, have stipulated that this fee and expense claim may be compromised and resolved on the following terms, and accordingly the Court hereby ORDERS as follows:

1. The Plaintiffs hereby are awarded against all Defendants, only in their official capacities as officials of the State of Mississippi, the sum of two hundred and ninety-five thousand dollars (\$295,000.00).
2. Payment of said award pursuant to the terms of this Order will fully and completely resolve all monetary claims of any kind among the parties to this action for legal work and expenses from November 2007, until September 15, 2010.
3. This Order is expressly conditioned upon the following: (a) the Mississippi Legislature will fund the above payment during the 2011 Regular Legislative Session; and (b) Payment then will actually be made in due course and without unreasonable delay.

4. If either condition specified in paragraph 3 fails, paragraphs 1 and 2 of this Order shall become void and of no effect, and upon determining that such a failure of condition has occurred the Court shall decide the fee matter on the basis of the presently filed papers. In that decision, the amount specified in paragraph 1 above shall be entirely disregarded as a product of compromise and settlement.

IT IS SO ORDERED, this 14th day of January, 2011.

/s/ JERRY A. DAVIS

UNITED STATES MAGISTRATE JUDGE

SO STIPULATED

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