UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

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JOY EVANS, et.al.,	
	Plaintiffs,
&	
UNITED STA	ATES OF AMERICA,
	Plaintiff-Intervenor,
	v.
VINCENT GRAY, et al.,	
	Defendants.

Civil Action No. 76-cv-0293 (ESH)

<u>ORDER</u>

Pursuant to the "2010 Revision to the 2001 Plan for Compliance and Conclusion of *Evans v. Fenty*,"¹ ("2010 Plan"), the Special Master, Clarence J. Sundram, has submitted a report and recommendation regarding defendants' certification of partial compliance with the goal of individualized habilitation plans (Goal A.1). (*See* Special Master's Report and Recommendation Regarding Individualized Habilitation Plans, October 15, 2013 [ECF No. 1418].) Under the 2010 Plan, there are 17 criteria for determining compliance with the goal of individualized habilitation plans. (*Id.* at 2.) On February 8, 2013, defendants filed a partial Certification of Compliance with the Special Master, asserting compliance with 13 of the 17 criteria and a stated intent to develop Plans of Corrections for the remaining 4 criteria. (*Id.*) Subsequently,

¹ The 2010 Plan was filed on July 13, 2010 [ECF No. 1200], and approved on August 10, 2010 [ECF No. 1204].

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defendants withdrew the Certification of Compliance as to 4 of the 13 submitted criteria and the parties agreed that substantial compliance had been achieved as to the 6 of the remaining 9 criteria. The Special Master now recommends that the Court find that defendants are in substantial compliance with criteria i and xi and partial compliance with criteria viii. The parties had 30 days to file objections to the Special Master's report. No objections have been filed.

Accordingly, upon consideration of the Special Master's Report and Recommendation, the lack of any objections thereto, and the entire record herein, it is hereby

ORDERED that the Court **APPROVES AND ADOPTS** the Special Master's Report and Recommendation Regarding Individual Habilitation Plans [ECF No. 1418]; and it is further

ORDERED that defendants have achieved compliance with criteria i, iv, v, vi, xi, xiii, xiv, and xv, and partial compliance with criteria viii, 9 of the 17 criteria for achieving compliance with Goal A.1, Individualized Habilitation Plans.

/s/ ELLEN SEGAL HUVELLE United States District Judge

Date: November 27, 2013