

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS

ASHOOR RASHO, et al,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL NO. 07-1298
)	
DIRECTOR JOHN R. BALDWIN, et al.,)	
)	
Defendants.)	

ORDER

Section XXXIII of the Settlement Agreement between the parties provides that the court shall determine the attorney fees due to Plaintiff’s counsel. Doc. 711. "Fees are to be determined as if the Plaintiffs are a prevailing party." *Id.* Fees are to be capped at \$6,000,000. One-half of the fees to be determined by the Court "shall be" paid within 120 days and one-half would be paid, if the Court enters an order under Section XXIX(g) of the Agreement.

Subsequent to the Court’s approval of that Agreement, pursuant to the Court's order plaintiff’s counsel filed a petition for fees and costs in the amount of \$6,090,698.12. Prior to a response to the petition being filed, the parties informed the Court that they had reached an agreement to settle the claim for fees. This agreement calls for the fees to be set at \$3,800,000. Doc. 1091. One-half of that amount (\$1,900,000) is due presently and one-half to be paid if the Court enters an order under Section XXIX(g) of the underlying Agreement.

Pursuant to Rule 23(h) notice of the petition for attorney fees was given to members of the class and the class members were given an opportunity to object. About 300 responses were received from members of the class totaling more than 10,000 members. All of the responses have been reviewed by the Court. The Court held a hearing on the fees on February 3, 2017.

The Court finds that the agreement between the parties for attorney fees in the amount of \$3.8 million with \$1.9 payable at this time pursuant to under Section XXIX(g) is fair to members

of the class given the nature of the case. The Agreement settling the underlying dispute affords members of the class comprehensive relief which includes fundamental changes to the housing, treatment, and discipline of mentally ill inmates. In view of the hours expended by counsel and the results obtained on behalf of the members of the class the Court finds that the agreement on fees is fair and reasonable. The Court, accordingly finds that the fees and costs are reasonable and approves the Agreement between the parties filed as Doc. 1091.

/s/ Michael M. Mihm

JUDGE MICHAEL MIHM

Dated: Feb. 10, 2017