

UNITED STATES DISTRICT COURT

DISTRICT OF IDAHO

BILL BARTLETT, et al., and all those
similarly situated,

Plaintiffs,

v.

HENRY ATENCIO, Director of the Idaho
Department of Correction (IDOC), et al.,

Defendants.

Case No. 1:17-cv-00191

**ORDER FOR PARTIAL
DISMISSAL WITH RETAINED
JURISDICTION**

This matter comes before the Court on the parties' stipulation for partial dismissal. The Court having found good cause and that the relief is narrowly drawn, extends no further than necessary to correct the violation of Federal rights, and is the least intrusive means necessary to correct the violation of Federal rights,

IT IS HEREBY ORDERED that Claims 1, 2, 3, and 4 in the Complaint (Dkt. 1) are dismissed pursuant to the parties' Stipulation of Dismissal (Dkt. 32) and Settlement Agreement (Dkt. 32-1), both of which are hereby incorporated into this order by the Court. The Court hereby retains jurisdiction to enforce the terms of the stipulated Settlement Agreement until the date of termination, which will be identified and filed by the parties at a later date. *See Kokkonen v. Guardian Life Ins. Co. of America*, 511 U.S. 375 (1994). On or before November 3, 2017, the parties must provide the Court with either a motion or a status report identifying the proposed termination date.

Claims 5, 6, and 7 in the complaint are not dismissed. All issues of costs and attorneys' fees, including as to Claims 1–4, also remain pending. The Motion for Preliminary Injunction (Dkt. 2) is deemed **MOOT** as a result of the dismissal of Claim 1, and the motion hearing set for August 25, 2017, at 9:30 a.m. is hereby **VACATED**.



DATED: August 17, 2017

A handwritten signature in black ink, appearing to read "C. Dale".

Honorable Candy W. Dale
United States Magistrate Judge