

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
) CASE NO. 2:10-CV-476-TLS
v.)
)
)
LAKE COUNTY, INDIANA;)
LAKE COUNTY SHERIFF;)
LAKE COUNTY BOARD OF)
COMMISSIONERS;)
LAKE COUNTY COUNCIL,)
)
Defendants.)
)

)

**JOINT MOTION TO TERMINATE SETTLEMENT AGREEMENT
AND FOR FINAL DISMISSAL**

Plaintiff, United States of America, and Defendants, Lake County, Lake County Sheriff, Lake County Board of Commissioners and Lake County Council (hereinafter collectively “Lake County”), by their respective counsel, in accordance with Section V.3.(a) of the Lake County Jail Settlement Agreement (“Agreement”) [ECF No. 9], jointly move to terminate the Agreement in the above-captioned case and seek final dismissal.

On September 12, 2008, the Department of Justice opened an investigation of the Lake County Jail (“LCJ”) in Crown Point, Indiana, pursuant to the Civil Rights of Institutionalized Persons Act (“CRIPA”), 42 U.S.C. § 1997 *et seq.* The Department issued a notice regarding the results of its investigation on December 7, 2009. On December 20, 2010, the Court entered the Agreement “in its entirety” as an Order of the Court and retained “jurisdiction over this matter to ensure timely and proper implementation of the Settlement Agreement.” [ECF No. 12].

Pursuant to Section V.3.(a) of the Agreement, “[t]his Agreement shall terminate when LCJ has achieved substantial compliance with the substantive provisions of this Agreement and has maintained that substantial compliance for one (1) year.” The parties agree that Lake County has reached substantial compliance with the terms of the Agreement in its entirety and termination is appropriate under Section V.3.(a) of the Agreement. Therefore, the parties request that this Court terminate the Settlement Agreement entered as an Order of the Court on December 20, 2010, ECF No. 12, and enter an Order dismissing this case.

Respectfully submitted,

FOR THE UNITED STATES:

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Council*

CERTIFICATE OF SERVICE

I hereby certify that on **December 17, 2019** a true and accurate copy of the above pleading or document was served upon all counsel and parties of record via U.S. Mail, in envelopes properly addressed with sufficient first-class postage affixed, and/or by electronic facsimile, email or the court's electronic case filing (ECF) system.

/s/ John M. Kopack John
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