

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

TREVOR RICHARDSON, on his own behalf and	)	
on behalf of a class of those similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 1:08-cv-00174-RLY-MJD
	)	
MONROE COUNTY SHERIFF, in his official	)	
capacity, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**Stipulation to Dismiss as to this Action Only**

The parties, by their counsel, state that:

1. The Private Settlement Agreement in this case (Dkt. 52) provides that by October 1, 2011 this action was to be dismissed and that “the parties agree that this dismissal should be with prejudice as to this action only, preventing this action from being revived by any class member.” (*Id.* at ¶ 24).
2. In its Order Finding Private Settlement Agreement to be Fair, Reasonable and Adequate Pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, this Court specifically stated that “after the dismissal, nothing will preclude a future class action from being brought by a prisoner of the Monroe County Jail.” (Dkt. 62 at 5).
3. The deadline for dismissal has been extended on numerous occasions and the current deadline is May 29, 2026. (Dkt. 104).

4. On May 26, 2026, the Monroe County Council failed to approve the purchase agreement discussed in the parties' Agreed Motion of April 13, 2026. (Dkt. 103 at ¶¶ 8-12).

5. As noted in the Agreed Motion, if the purchase agreement were not to be approved, plaintiffs' counsel anticipated moving to dismiss the Private Settlement Agreement, which "will allow new litigation concerning the conditions of the existing jail and appropriate remedies for those conditions to be initiated." (*Id.* at ¶ 13).

6. The parties agree that, consistent with the Private Settlement Agreement, the dismissal of this action is with prejudice as to this action only, preventing the revival of this action. This means that nothing prevents a new action from being filed by any prisoner in the Monroe County Jail concerning the jail conditions.

WHEREFORE, consistent with the Private Settlement Agreement, the parties stipulate to the dismissal of this case, as to this action only, and agree that, consistent with this Court's Order December 3, 2009 (Dkt. 252), nothing prevents a new action from being filed by any prisoner in the Monroe County Jail.

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