

**IN THE UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE DISTRICT OF COLUMBIA, )  
 Honorable Vincent C. Gray, )  
 Mayor, District of Columbia, )  
 in his official capacity only; )  
 DEPARTMENT OF MENTAL HEALTH, )  
 Stephen T. Baron, Director, )  
 Department of Mental Health, )  
 in his official capacity only; )  
 and SAINT ELIZABETHS HOSPITAL, )  
 Patrick J. Canavan, )  
 Chief Executive Officer, )  
 Saint Elizabeths Hospital, )  
 in his official capacity only, )  
 )  
 Defendants. )  
 )  
 \_\_\_\_\_ )

Civ. No. 07-889 (TFH)

**JOINT MOTION FOR ORDER OF FINAL DISMISSAL**

PLAINTIFF, THE UNITED STATES OF AMERICA, and DEFENDANTS, DISTRICT OF COLUMBIA, et. al, by their undersigned attorneys, jointly move the Court to dismiss this case with prejudice, terminating the Modified Settlement Agreement and Order entered in this case on October 20, 2011. Pursuant to the terms of Paragraph J of the Modified Settlement Agreement, the Modified Settlement Agreement shall terminate in its entirety when the parties agree that the Defendants have reached sustained compliance with each of the provisions of the Modified Settlement Agreement and file a joint motion to dismiss with the Court. The parties

hereby agree that the Defendants have reached sustained compliance with each of the provisions of the Modified Settlement Agreement. Accordingly, dismissal is warranted.

Attached for notice by the Court is also the Parties' NOTICE OF CONTINUING MONITORING BETWEEN SAINT ELIZABETHS HOSPITAL AND UNIVERSITY LEGAL SERVICES that outlines University Legal Services' continued monitoring of Saint Elizabeths after the Court dismisses this case with prejudice.

WHEREFORE, the Parties move the Court to enter the attached proposed Order of Final Dismissal terminating the Agreement and dismissing this case with prejudice and to give judicial notice to the Parties' NOTICE OF CONTINUING MONITORING BETWEEN SAINT ELIZABETHS HOSPITAL AND UNIVERSITY LEGAL SERVICES.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

Respectfully submitted,

**FOR THE UNITED STATES:**

MOLLY J. MORAN  
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U.S. Department of Justice  
Civil Rights Division

EVE HILL  
Deputy Assistant Attorney General  
U.S. Department of Justice  
Civil Rights Division

JONATHAN M. SMITH  
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Deputy Chief  
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s/William G. Maddox  
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**FOR THE DISTRICT:**

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IRVIN B. NATHAN  
Attorney General for the  
District of Columbia

s/Ellen Efros

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Civ. No. 07-889 (TFH)

**NOTICE OF CONTINUING MONITORING BETWEEN SAINT ELIZABETHS  
HOSPITAL AND UNIVERSITY LEGAL SERVICES**

1. Saint Elizabeths (“SEH”) will continue having quarterly meetings between its management team, including the Chief Clinical Officer, the Director of Medical Affairs, the Deputy General Counsel for the Department of Behavioral Health, and University Legal Services (“ULS”);
2. ULS shall continue to be provided with key cards for entrance to SEH;
3. ULS will continue to be able to conduct unannounced visits and monitoring and outreach sessions on the treatment malls and wards;

4. ULS will receive paper copies of medical records without fee up to the first 100 pages of record or digital versions of medical records via compact disc or other acceptable medium free of charge;
5. As part of the quarterly meetings between SEH and ULS, SEH will discuss with ULS current, amended, and new policies. ULS will be given the opportunity to comment and make suggestions on policies on a case-by-case basis. Furthermore, ULS may also raise issues regarding policies as part of the patient grievance process;
6. ULS will have access to the nursing administration and receive updated information regarding nursing training and turnover;
7. SEH agrees that after announcing the time of an Individual Recovery Plan meeting, SEH will not keep the individual-in-care waiting while the team discusses the individual-in-care.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2014.

Respectfully submitted,

**FOR THE UNITED STATES:**

MOLLY J. MORAN  
Acting Assistant Attorney General  
U.S. Department of Justice  
Civil Rights Division

EVE HILL  
Deputy Assistant Attorney General  
U.S. Department of Justice  
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**FOR THE DISTRICT:**

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IRVIN B. NATHAN  
Attorney General for the  
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s/Ellen Efros

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