

Stipulation of Settlement in the matter of Al-Jundi v. Mancusi, United States District Court Western District of New York

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| UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NEW YORK | |
| AKIL AL-JUNDI, on behalf of himself and all others similarly situated, Plaintiff, | SUPPLEMENTAL STIPULATION OF SETTLEMENT |
| v. VINCENT MANCUSI, et al., Defendants. | |
| <p>The parties, by their attorneys, and the State of New York, through the Office of the Attorney General, hereby stipulate and agree as follows:</p> <p>Whereas, in an Order granted by this Court, a class action was certified under Rule 23(b)(3) of the Federal Rules of Civil Procedure determining that the (plaintiff does not) consist of all (approximately 1200) inmates who were present in D-Yard of Attica Correctional Facility on September 11, 1971;</p> <p>Whereas, in a Decision and Order of the United States Court of Appeals for the Second Circuit, decided August 3, 1999, judgment in favor of two named plaintiffs, Frank Smith and David Housig, were reversed, and the entire case was remanded to the Western District of New York for further proceedings in accordance with that Decision;</p> <p>Whereas, at the direction of the Court, discussions have since taken place to determine whether or not the case can be resolved by way of settlement;</p> <p>Whereas, there is an agreement to compromise the original claim, which agreement is intended to bring a conclusion to litigation pending in this case;</p> <p>IT IS HEREBY STIPULATED AND AGREED by and between the parties, by their attorneys, and the State of New York, through the Office of the Attorney General, as</p> | |

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Identifier

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Alternate Identifier

Case Files: 75-132

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