## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF LOUISIANA

THE UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
	)	Civil Action No: 3:18-cv-608
THE STATE OF LOUISIANA,	)	
	)	
Defendant.	)	
	)	

### **JOINT MOTION FOR DISMISSAL**

- 1. Plaintiff, the United States of America and Defendant, the State of Louisiana (collectively "the Parties"), hereby move for the dismissal of this proceeding under Federal Rule of Civil Procedure 41(a)(2).
- 2. On May 29, 2018, the Parties agreed upon the attached Agreement to Resolve Department of Justice Investigation (*Exhibit A*). The Agreement resolves litigation initiated by the United States with the filing of a Complaint pursuant to Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131–12134.
- 3. In consideration of, and consistent with the terms of the Agreement, the Parties jointly move the Court to dismiss the lawsuit without prejudice, subject to retention of jurisdiction and reinstatement upon the United States' motion for the purpose of resolving any claim that Defendant materially breached any provision of the Agreement, pursuant to Paragraph 127 of the Agreement.

- 4. Each Party shall bear its own costs and attorneys' fees.
- 5. A proposed order for dismissal is attached hereto.

This 6th day of June, 2018

Respectfully submitted,

FOR THE UNITED STATES:

BRANDON J. FREMIN United States Attorney Middle District of Louisiana

JOHN M. GORE Acting Assistant Attorney General Civil Rights Division

STEVEN H. ROSENBAUM Chief, Special Litigation Section

MARY R. BOHAN Deputy Chief

/s/ John J. Gaupp

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#### FOR THE STATE OF LOUISIANA:

/s/ Stephen Russo

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/s/ Kimberly Sullivan

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#### **CERTIFICATE OF SERVICE**

I certify that the foregoing Joint Motion for Dismissal was served through electronic file delivery on June 6, 2018.

/s/\_John J. Gaupp

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THE UNITED STATES OF AMERICA,	)		
Plaintiff,	)		
v.	)		
THE STATE OF LOUISIANA,	) ) <b>Civil Ac</b> )	Civil Action No: 3:18-cv-608	
Defendant.	) ) )		
ORDER GRANTING JOIN	T MOTION FOR D	<u>ISMISSAL</u>	
Upon the joint motion of Plaintiff, the	United States of Amer	ica and Defendant, State of	
Louisiana, to dismiss this case in light of the A	greement to Resolve	Department of Justice	
Investigation reached by the parties;			
It is hereby ORDERED that: This matter	er is DISMISSED WI	THOUT PREJUDICE,	
subject to retention of jurisdiction and reinstate	ement upon the United	States' motion for the	
purpose of resolving any claim that Defendant	materially breached a	ny provision of the	
Agreement, pursuant to Paragraph 127 of the A	Agreement. Each part	y shall bear its own costs.	
	John W. deGrav	relles	
	UNITED STAT	ES DISTRICT JUDGE	
	Dated:	, 2018	