

EXHIBIT C

Proposed Order Granting Plaintiffs' Motion

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JAMAAL CAMERON, et al.,

Plaintiffs,

Case No. 20-cv-10949

v.

Hon. Linda V. Parker

MICHAEL BOUCHARD, et al.,

Defendants.

**ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION TO CERTIFY
A CLASS, APPOINT CLASS COUNSEL, PRELIMINARILY APPROVE
CLASS SETTLEMENT, DIRECT CLASS NOTICE,
AND SCHEDULE A FAIRNESS HEARING**

This is a putative class action lawsuit for injunctive and declaratory relief. The putative plaintiff class consists of “all current and future persons detained at the Oakland County Jail during the Course of the COVID-19 Pandemic.” Plaintiffs allege that Defendants have violated their Eighth and/or Fourteenth Amendment rights by failing to take a number of measures to keep people incarcerated in the Oakland County Jail (“the Jail”) safe from COVID-19.

By way of Plaintiffs’ motion filed May 20, 2021, the Parties have informed the Court that they have reached a proposed settlement. Because their settlement agreement calls for certification of a class, as well as class-wide relief, it is subject

to this Court's approval according to the procedures set forth in Rule 23(e) of the Federal Rules of Civil Procedure.

Now before the Court is Plaintiffs' motion to permanently certify the class and subclasses for settlement purposes, appoint class counsel, preliminarily approve the class settlement, direct class notice, and schedule a fairness hearing. Plaintiffs have submitted a copy of the Parties' proposed settlement agreement as well as a proposed class notice. Plaintiffs have further indicated that counsel for all parties have discussed the contents of motion and Defendants will not oppose it.

Having reviewed Plaintiffs' submissions and based on its review of the factors set forth in *UAW v. GMC*, 497 F.3d 615, 622 (6th Cir. 2007) and *Pelzer v. Vassalle*, 655 F. App'x 352, 359 (6th Cir. 2016), the Court concludes that Plaintiffs' motion should be **GRANTED**. Accordingly, the Court hereby **ORDERS** as follows:

1. A Jail Class composed of "All current and future persons detained at the Oakland County Jail during the course of the COVID-19 Pandemic and until October 31, 2021" is **CERTIFIED** for settlement purposes. The following subclasses are also **CERTIFIED** for settlement purposes:
 - a. Pre-Trial subclass: all current and future persons detained at the Oakland County Jail during the course of the COVID-19 pandemic

until October 31, 2021, who have not yet been convicted of the offense for which they are currently held in the Jail;

- b. Post-Conviction Subclass: all current and future persons detained at the Oakland County Jail during the course of the COVID-19 pandemic until October 31, 2021, who have been sentenced to serve time in the Jail or who are otherwise in the Jail as the result of an offense for which they have already been convicted;
- c. Medically Vulnerable Subclass: as all members of the Jail class who also are over the age of sixty (60) or who, regardless of age, experience any of the following underlying medical conditions: (i) chronic lung disease including chronic obstructive pulmonary disease (e.g., bronchitis or emphysema); (ii) moderate to severe asthma; (iii) serious heart conditions; (iv) immunocompromising conditions including cancer treatment, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, and prolonged use of corticosteroids and other immune weakening medications; (v) severe obesity (body mass index [BMI] of 40 or higher); (vi) diabetes; (vii) chronic kidney or liver disease; (viii) metabolic disorders; or (ix) current or recent (last two weeks) pregnancy.

2. Thomas Harvey, Marques Banks, Cary S. McGehee, Kevin M. Carlson, Philip Mayor, Syeda Davidson, Daniel S. Korobkin, Alexandria Twinem, and Allison L. Kriger are **APPOINTED** as class counsel.
3. The proposed settlement submitted as Exhibit A to Plaintiffs' Motion (ECF No. 183-3) is **PRELIMINARILY APPROVED**.
4. Class notice as proposed by the Parties is **APPROVED**. Within seven days of the issuance of this order, Defendants are **DIRECTED** to provide class notice to all individuals currently incarcerated at the Jail. Class notice shall also be promptly provided to anyone who becomes incarcerated at the Jail after this order issues but prior to final approval of the proposed settlement. The class notice that must be provided to each class member shall consist of both the summary notice attached to this order and a full copy of the proposed settlement agreement. In addition, the summary notice shall be posted in prominent locations in every cell row, pod, dorm, or other type of cell block during the notice period.
5. The proposed class settlement is set for a virtual **HEARING** on [date], 2021, at [time] using the following Zoom information: [insert Zoom link]. Defendants shall ensure that any objecting class member who is incarcerated is able to appear at the hearing. The Clerk of the Court is

DIRECTED to promptly e-file any written objections to the proposed settlement and to make appropriate redactions required by Fed. R. Civ. P. 5.2(a).

IT IS SO ORDERED.

[Date of Court Order]

LINDA V. PARKER
UNITED STATES DISTRICT JUDGE