

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE DIVISION

RICHARD JACKSON,

CASE NO. 4:14-cv-548-MW/CAS

Plaintiff,

vs.

FLORIDA DEPARTMENT OF
CORRECTIONS, MARSHA NICHOLS,
WILLIAM RUMMEL, ANDREW
LOCKLEAR and DOES 1-8,

Defendants.

MEDIATED SETTLEMENT AGREEMENT

Plaintiff and Defendants agree to settle this case under the following terms:

1. Defendants shall pay to Plaintiff \$96,883.34. Payment shall be reduced by \$2,883.34 to satisfy liens on Plaintiff's FDOC inmate bank account. The balance of \$94,000.00 shall be made payable to the payees as designated by counsel for the Plaintiff to counsel for the Defendants within 5 days of the date of this agreement. Payment shall be made within 35 days of the date of this agreement.
2. FDOC attests it has no knowledge of any other liens on Plaintiff's inmate bank account.
3. The FDOC agrees to waive its right to enforce a cost of incarceration lien under Section 960.29, *et seq.*, Fla. Stat., against the settlement funds payable

in this matter.

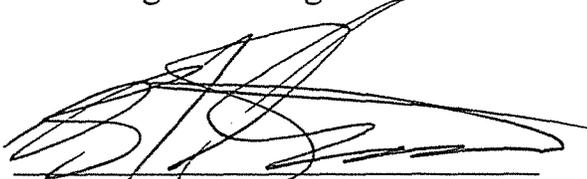
4. Defendants agree to pay the mediator's fees.

5. FDOC permits Jackson to use wheelchair both inside and outside his cell or housing unit. However, if a new articulable security concern arises that cannot otherwise be reasonably mitigated the FDOC may withhold the wheelchair inside the cell and instead provide another reasonable mobility accommodation.

6. The parties further agree to execute releases and any other documents to implement this agreement.

7. After receipt of the amount in Paragraph 1, the parties shall file a voluntary dismissal with prejudice. The enforcement of this agreement will be in a state court breach of contract action. In the event of an alleged breach of this agreement, the Plaintiff shall notify the FDOC and the FDOC will cure within 5 days. If the Plaintiff disagrees with the cure and files a lawsuit, the entitlement to and the amount of attorney's fees shall be determined based on the federal law for enforcing civil rights judgments.

Signed and agreed to this 9th day of April, 2015.



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