

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

IN RE HUTTO FAMILY DETENTION
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Case No. A-07-CA-164-SS

MODIFICATION TO SETTLEMENT AGREEMENT

On August 29, 2007, the Court approved Plaintiffs’ and Defendants’ (“the Parties”) joint stipulation to enter into a Settlement Agreement to resolve all individual actions consolidated under the caption, *In re Hutto Family Detention Center*, No. A-07-CA-164-SS. Pursuant to Paragraphs 4 and 22C of the Agreement, the Settlement is set to expire on August 29, 2009.

On August 5, 2009, Defendant Immigration and Customs Enforcement (“ICE”) publicly announced its intention to stop detaining families at the Hutto Family Detention Center in the near future. Since it is anticipated that some families will remain at Hutto after August 29, 2009, the Parties consulted and determined that an extension of the Settlement Agreement would be appropriate to cover the short period of time after August 29, 2009 that families will remain detained at Hutto.

Paragraph 34 of the Settlement Agreement contemplates that the parties may modify the Agreement in a signed writing. Pursuant to Paragraph 34, the Parties agree to delete the current version of Paragraph 22 and replace it as follows:

22. This Agreement, and all responsibilities and obligations contained herein, will terminate upon either of the following

events, whichever occurs first:

- A. Discontinued use of the Hutto facility as a family residential center on a permanent basis, evidenced by the transfer of all families out of Hutto; or,
- B. December 31, 2009.

On the first of either of those two events, the Settlement Agreement will permanently expire.

FOR PLAINTIFFS:

FOR DEFENDANTS:

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