

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

JAMES HANDWORK)
Lake Erie Correctional Institution)
P.O. Box 8000)
Conneaut, Ohio 44030)

Plaintiff,)

v.)

Civil Action No. 1:16-cv-00825
Judge Solomon Oliver, Jr.

THE OHIO DEPARTMENT OF)
REHABILITATION AND CORRECTION)
777 West Broad St.)
Columbus, OH 43222)

and)

GARY C. MOHR)
In his official capacity as Director of Ohio Department)
of Rehabilitation and Correction)
777 West Broad St.)
Columbus, OH 43222)

Defendants.)

**PLAINTIFF’S UPDATED NOTIFICATION TO THE COURT
OF THE STATUS OF SETTLEMENT DISCUSSIONS**

On December 15, 2016, this Court granted the parties 30 days to work towards resolving their dispute, and on January 12, 2017, Plaintiff filed a status update informing the Court that the parties were in the process of trying to reach an agreement. The Court set a follow-up status conference for February 8, 2017. After further settlement negotiations, the parties have reached an impasse.

After negotiations, Defendants have retracted their unlawful grievance decision, but have refused to take any other remedial action to resolve Plaintiff's complaints. Defendants deny having any responsibility whatsoever for the prison's treatment of Mr. Handwork, the care of whom remains under Defendants' jurisdiction. Mr. Handwork still has not been given the hearing aid that he needs, nor any assurance that he will receive it.

Dated this 7th Day of February, 2017.

Respectfully submitted,

s/ Freda J. Levenson

Freda J. Levenson (0045916)

Trial Attorney for Plaintiff

Elizabeth Bonham (0093733)

ACLU of Ohio Foundation, Inc.

4506 Chester Ave.

Cleveland, OH 44103

Tel: (216) 472-2220

Fax: (216) 472-2210

flevenson@acluohio.org

ebonham@acluohio.org

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that the foregoing Notification was electronically filed with the District Court of the Northern District of Ohio on this 7th Day of February, 2017. The Court's electronic filing system will provide notice of this filing to all parties, and all parties may access this filing through the Court's electronic filing system.

s/ Freda Levenson
Freda Levenson (0045916)
Trial Attorney for Plaintiff