

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

STEPHANIE DIPIERRO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
HUGH J. HURWITZ, in his official	)	C.A. No. 1:19-cv-10495-WGY
capacity as Acting Director of the	)	
Federal Bureau of Prisons, and	)	
DR. DEBORAH G. SCHULT, in her	)	
official capacity as Assistant Director	)	
of the Health Services Division of the	)	
Federal Bureau of Prisons,	)	
	)	
Defendants.	)	

**SETTLEMENT AGREEMENT**

On March 15, 2019, plaintiff Stephanie DiPierro initiated this action against defendant Acting Director of the Federal Bureau of Prisons (“the Bureau”), Hugh J. Hurwitz, and defendant Assistant Director of the Health Services Division of the Bureau, Dr. Deborah G. Schult. ECF No. 1. She alleged violations of the Eighth Amendment, the Rehabilitation Act, and the Administrative Procedures Act, and sought declaratory and injunctive relief to require Defendants to provide her with access to her physician-prescribed methadone treatment for her opioid use disorder throughout her upcoming incarceration at a Bureau facility. *Id.* at 3-4, 23. That same day, she also filed a motion for a temporary restraining order and a preliminary injunction. ECF No. 17. The Bureau of Prisons has now indicated that Ms. DiPierro will be incarcerated at the Federal Correction Institution in Danbury, Connecticut. To resolve this matter, the Parties enter into the following agreement (“Agreement”) as follows:

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1. Defendants or their designees shall order, dispense and administer to Ms. DiPierro her methadone treatment throughout the course of her incarceration in case number 1:17-cr-10339.

2. Before June 10, 2019, documentation of Ms. DiPierro's methadone dose and frequency will be sent to the Defendants or their designees, and they will send this information to facility where Ms. DiPierro will be incarcerated by June 10, 2019. Defendants or their designees shall continue Ms. DiPierro's current dose of methadone treatment throughout the course of her incarceration in the Bureau of Prisons, unless otherwise directed by her doctors in an emergency situation.

3. Defendants' obligations to provide treatment to Ms. DiPierro pursuant to this Agreement shall commence upon receipt of Ms. DiPierro into the custody of the Bureau of Prisons, and Defendants or their designees will administer the first dose of methadone to Ms. DiPierro on June 12, 2019. Defendants or their designees shall take all steps necessary to ensure Ms. DiPierro receives uninterrupted access to her methadone treatment, including but not limited to, any steps that need to be taken in advance of Ms. DiPierro's reporting date of June 11, 2019.

4. On June 12, 2019, Defendants or their designees or their counsel will confirm with Ms. DiPierro's counsel by phone or email that they have provided Ms. DiPierro with her first dose of methadone.

5. Defendants or their designees will provide Ms. DiPierro with a copy of her medical records and sealed last dose letter prior to her release upon her written request.

6. At any time during the pendency of this Agreement, if Ms. DiPierro or her counsel believe that the Defendants are not complying with this agreement, they shall notify the Defendants, through counsel, and if the situation does not require immediate and emergent

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resolution, the Parties shall confer within 72 hours to try to resolve any differences without judicial intervention. Nothing in this paragraph shall limit Ms. DiPierro or her counsel from filing an emergency motion to enforce compliance if they have a good faith belief that such a remedy is necessary for her immediate welfare.

7. Within a reasonable time following execution of this Agreement, the Parties shall file a joint motion asking the Court to dismiss the case against Defendants without prejudice upon the condition that the Court retains jurisdiction to enforce the Agreement.

8. The provisions of this Agreement embody and reflect the entire understanding of the Parties and there are no representations, warranties, or undertakings other than those expressed and set forth in this Agreement. The provisions of this Agreement shall not be modified or amended in any way except by writing signed by all parties.

Date: 6/7/19

By:   
Stephanie DiPierro

*Plaintiff*

Date: 6/7/19

By: 

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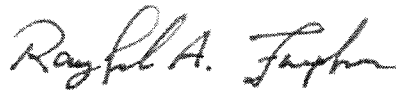
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Services Division of the Federal Bureau of Prisons,

By their attorneys,

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Dated: June 7, 2019



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