

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TIMOTHY BROWN, MYLES HANNIGAN,	:	
and ANTHONY HALL,	:	
	:	
Petitioners,	:	
	:	
v.	:	Case No. 20-cv-1914-AB
	:	
KEVIN PISTRO, in his capacity	:	
as Warden of the Federal Detention	:	
Center of Philadelphia,	:	
	:	
Respondent.	:	

Notice of Voluntary Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i)

WHEREAS, Petitioners Timothy Brown, Anthony Hall, and Myles Hannigan initiated this action on April 15, 2020; and

WHEREAS, in the more than one year since then, the parties have engaged in extensive briefing, argument, discovery, facility inspections, exchange of expert reports, and negotiation; and

WHEREAS, the Federal Detention Center of Philadelphia is now making COVID-19 vaccination available to all prisoners and staff; and

WHEREAS, Respondent, Warden Kevin Pistro has, by agreement, repeatedly broadcast to all prisoners in the Federal Detention Center of Philadelphia a video produced by the MacArthur Justice Center at the University of Mississippi School of Law entitled “Doctors and Formerly Incarcerated Individuals on the Importance of COVID-19 Vaccination in Prisons”; and

WHEREAS, this 16½ minute video features doctors and formerly incarcerated people explaining the safety and efficacy of COVID-19 vaccination, and encouraging prisoners to accept it; and

WHEREAS, the video also features similar messages from U.S. Congressman Bennie Thompson and Derrick Johnson, the President and CEO of the National NAACP; and

WHEREAS, the parties have agreed that each side in this case shall bear its own costs and fees; and

WHEREAS, this case does not involve a certified class, or a class proposed to be certified for purposes of settlement; and

WHEREAS, the parties are grateful for the diligent work of the Honorable Anita B. Brody in overseeing this case and facilitating this resolution of it,

PURSUANT to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the Petitioners, Timothy Brown, Anthony Hall, and Myles Hannigan, hereby give notice that the above-captioned action is voluntarily dismissed against the Respondent, Warden Kevin Pistro.

Respectfully submitted,

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/s/ Linda Dale Hoffa

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Dated: July 8, 2021

CERTIFICATE OF SERVICE

I, Linda Dale Hoffa, Esquire do hereby certify that on July 8, 2021, I caused a true and correct copy of the foregoing Notice of Voluntary Dismissal Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(i) to be served on all counsel of record via the Court's CM/ECF electronic filing system.

Respectfully submitted,

/s/ Linda Dale Hoffa

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