

**UNITED STATES DISTRICT COURT**

**MIDDLE DISTRICT OF LOUISIANA**

**DONALD L. LEGER  
(DOC# 278307)**

**: CIVIL ACTION**

**: NUMBER 08-820-JVP-CN**

**VERSUS**

**: JUDGE JOHN V. PARKER**

**STATE OF LOUISIANA, ET AL.**

**: MAG. JUDGE NOLAND**

**SETTLEMENT AGREEMENT**

**NOW THEREFORE** the parties, by and through their respective counsel, hereby stipulate and agree that this settlement agreement is entered into by the parties to resolve all of the claims made in this action, wherein the plaintiff, Donald Leger, brought a number of claims related to Plaintiff's rights guaranteed under the First Amendment of the United States Constitution and Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. § 2000cc-1. The parties shall file a joint Motion to Dismiss, as they have entered a Settlement Agreement with the following terms:

1. Donald Leger will be given the opportunity to watch Catholic Mass on Sunday mornings and up to twice during the week.
2. All of the televisions sets on death row tiers are on FM channels and shall be fully muted (or the volume lowered to zero) during religious broadcasts. Each inmate on death row has earphones through which they can hear television programming. This policy allows death row prisoners who are not interested in hearing any programming to remove their wireless earphones if they are not interested in the specific television broadcast. This policy will be communicated to all death row staff and prisoners in writing by July 1, 2009.
3. The Roman Catholic Church, through its clergy and in accord with its scheduling restrictions, will provide Catholic Mass including the sacrament of Holy Eucharist in accordance with the Church's tenets.

4. Donald Leger retains his right to participate in private and confidential visits for the purpose of confession. During the visitation, no one, other than the Catholic priest directly participating in the confession service, will listen to or record the audible content of the visit.
5. The Roman Catholic Church, through its clergy and in accord with its tenets and scheduling restrictions, will be provided the same opportunity to hold Mass on death row that other denominations enjoy. To the extent practicable, Donald Leger will have the opportunity to attend Catholic Mass as much as possible while on death row.
6. Neither party admits liability or fault and both parties agree to waive their rights as a prevailing party. Allegations of noncompliance with this agreement shall be made through the inmate grievance procedure, prior to seeking any other relief. Upon exhausting such remedy, Plaintiff shall be entitled to bring an action in a court of competent jurisdiction.
7. Donald Leger agrees to voluntarily dismiss any pending administrative grievance regarding the free exercise of his religion and any grievance alleging retaliation for bringing this litigation.

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