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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

MARK J. WILSON,

Plaintiff,

v.

JEF Van VALKENBURG, et al.,

Defendants,

Case No. 06-1391-SU

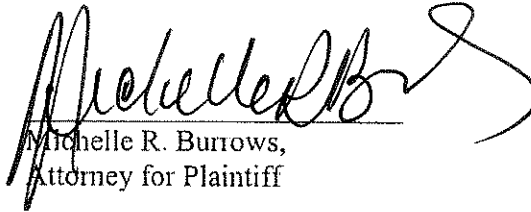
JOINT MOTION TO DISMISS - PARTIES HAVE
SETTLED

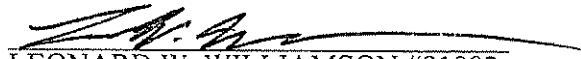
The parties jointly move for dismissal having reached mutually agreeable terms of settlement. A copy of said settlement is attached.

This matter is to be dismissed with prejudice.

DATED this 14 day of ~~November~~ ^{January}, 2008.

Respectfully submitted,


Michelle R. Burrows,
Attorney for Plaintiff


LEONARD W. WILLIAMSON #91002
Senior Assistant Attorney General
Trial Attorney
Of Attorneys for Defendant
1162 Court Street NE
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RELEASE IN FULL OF ALL CLAIMS AND RIGHTS

IN CONSIDERATION of the sum of \$0 (ZERO DOLLARS) and

- A transfer to the Oregon State Correction Institution (OSCI) in Salem Oregon
Mr. Wilson housing assignment at OSCI is conditioned upon his compliance with the Oregon Department of Corrections (ODOC) disciplinary rules and the absence of substantial security concerns,
- And ODOC agrees that should Mr. Wilson perceive that OSCI staff have acted in a retaliatory manner toward him as a result of this litigation that he is to follow the ODOC grievance process set out by rule and at the third and final level of grievance appeal Mr. Wilson may copy the Oregon Department of Justice (DOJ) for review and comment,
- A ODOC records review was conducted of Mr. Wilson's institution file and as a result of that review the parties believe and understand that the concerns raised by Mr. Wilson as summarized in Attachment "A" did not result in formal discipline under ODOC rules as of the signing of this release

, MARK WILSON hereby releases and discharges the State of Oregon and all departments, agencies, officers, agents, and employees of the State of Oregon, including but not limited to OREGON DEPARTMENT OF CORRECTIONS and the OREGON DEPARTMENT OF JUSTICE, of and from any and all known or unknown or unforeseen actions, claims, liabilities, injury, losses, rights of contribution or indemnity, and damages without limitation which now exist or may develop which are in any way connected with or based upon an incident which is described in documents filed in the

U S District Court for the State of Oregon, Case No. 06-1391-SU, entitled *MARK WILSON V JEF VAN VALKENBURGH ET AL*

I hereby expressly waive and relinquish any and all rights under any law or statutes in the State of Oregon for any and all damages or injuries arising out of the above entitled incident.

I agree to pay and satisfy all unsatisfied bills, charges, liens, subrogation rights, and reimbursement rights which are or may be presented or held by other persons or organizations having provided services, insurance benefits, or other value to me or on my behalf as a result of the injuries and damages arising out of the incident described and referred to herein. I further agree to hold harmless from any such claims the parties being released, their agents, representatives, successors, and assigns.

I understand and agree that this is a compromise settlement, and payment is accepted voluntarily as full and final compromise, satisfaction and settlement of disputed claims and rights. I further understand and agree that this settlement is not to be considered as an admission of any liability or fault whatsoever, in whole or in part, for the incident by the parties released, their agents, or representatives. I further understand and agree that the parties who are released by this agreement expressly deny any liability or fault whatsoever, in whole or in part, for the incident described and referred to by this document.

In further consideration of the payment I have received and herein acknowledge, I agree to cause an order of dismissal with prejudice and without costs of the lawsuit to be entered in Case No. 06-1391-SU, entitled *MARK WILSON V JEF VAN VALKENBURGH ET AL*, in the U.S. District Court for the State of Oregon.

This release contains the entire agreement between me and the parties released and their agents and representatives, and it is agreed that the terms of this release are contractual and not merely recitals

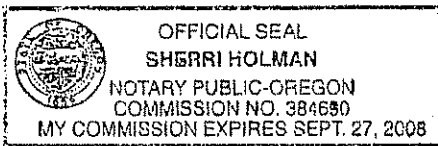
I UNDERSTAND THIS IS ALL THE MONEY I WILL RECEIVE AS A RESULT OF THE INCIDENT REFERRED TO HEREIN

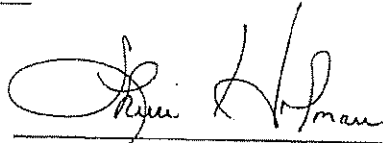
I HAVE READ THIS RELEASE; I UNDERSTAND IT; AND I AM SIGNING IT VOLUNTARILY

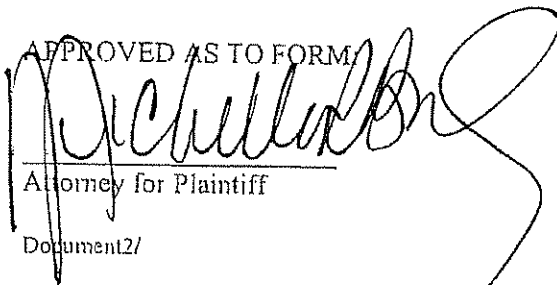
DATED this 24th day of October, 2007


MARK WILSON

Subscribed and sworn to before me this 24th day of October, 2007, in the State of Oregon, County of Umatilla




Notary Public for Oregon
My commission expires: 9.27.08

APPROVED AS TO FORM

Attorney for Plaintiff
Document2/

Attachment A

June 2004: Inmate Wilson acting as courier between a segregated murder defendant and general population inmates (aka the ^(aka) Hayden matter)
Haugen

June/July 2004: Inmate Wilson attempting to compromise staff at OSP.

July/August 2004: Inmate Wilson had a role in instigating, organizing, furthering, and/or carrying out a July 2004 inmate telephone boycott at OSP.

September 2004: Inmate Wilson acted inappropriately in conducting fundraiser effort in September 2004 for the *Dougy Center for Grieving Children*.

September/October 2004: Investigation of Inmate Wilson "complex" and "long-term "

No misconduct reports were issued to Inmate Mark Wilson over these events (said events are described in further detail in his letter of November 16, 2006 addressed to Director Max Williams). In September 2004, Inmate Mark Wilson was counseled when he collected money from other inmates to send to the *Dougy Center for Grieving Children*. The money was forwarded to the charity but Inmate Wilson was counseled to obtain permission before collecting money.

As to the other events, no misconduct reports were issued.