

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

THOMAS REMICK, et al., on behalf of themselves and all others similarly situated,	:	
	:	No. 2:20-cv-01959-BMS
	:	
Plaintiffs-Petitioners,	:	
	:	
v.	:	
CITY OF PHILADELPHIA; and BLANCHE CARNEY, in her official capacity as Commissioner of Prisons,	:	
	:	
Defendants-Respondents.	:	

ORDER

AND NOW, this ____ day of _____, 2021, upon considering Plaintiffs’ Motion for Contempt and Sanctions and any response thereto, it is **HEREBY ORDERED**:

1. Plaintiffs’ Motion for Contempt and Sanctions is **GRANTED**, upon the Court’s finding that Plaintiffs showed by clear and convincing evidence that Defendant City of Philadelphia (“City”) knew of the Court’s Interim Order of January 28, 2021 (ECF No. 70) and has not complied with the requirement therein that individuals incarcerated in the Philadelphia Department of Prisons be provided with a minimum of three hours of daily out-of-cell time;
2. The Court finds Defendant City of Philadelphia in civil contempt;
3. In order to coerce the City into compliance and compensate Plaintiffs for the harm caused by the City’s noncompliance, the City shall pay a per diem fine until it demonstrates that it is in compliance with the Court’s Interim Order of January 28, 2021;
4. The per diem fine paid by the City shall start at \$10,000 and double after each two-week period of continued noncompliance; and

5. Any and all contempt fines paid by the City as a result of this Order shall be directed, in equal parts, to the Philadelphia Community Bail Fund and the Philadelphia Bail Fund, to be used to post bail for individuals incarcerated in the Philadelphia Department of Prisons.

SCHILLER, J.