

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN BONE, TIMOTHY MILES, THE)
NATIONAL FEDERATION OF THE)
BLIND, INC., AND DISABILITY)
RIGHTS NORTH CAROLINA,)
) 1:18-cv-994
Plaintiffs,)
)
v.)
)
UNIVERSITY OF NORTH CAROLINA)
HEALTH CARE SYSTEM,)
)
Defendant.)

JUDGMENT AND INJUNCTION

For the reasons set forth in the Memorandum Opinion and Order filed contemporaneously with this Judgment (Doc. 167), as well this court's prior Order filed on December 1, 2020, (Doc. 97), and the parties' Stipulation of Voluntary Dismissal with Prejudice of Plaintiff John Bone's and Timothy Miles's Claims for Damages (Doc. 147),

IT IS ORDERED AND ADJUDGED that all claims asserted by Plaintiffs John Bone, the National Federation of the Blind, Inc., and Disability Rights North Carolina against Defendant Nash Hospitals, Inc., are hereby DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff John Bone's and Timothy Miles's claims for damages are DISMISSED WITH PREJUDICE.

IT IS further ORDERED and ADJUDGED that Plaintiffs' motion

for permanent injunction (Doc. 151) is GRANTED in part and DENIED in part, and

IT IS ORDERED, ADJUDGED, and DECREED that:

Defendant UNCHCS, its officers, agents, servants, and employees, and other persons acting on behalf of or in concert with it who receive actual notice of this Permanent Injunction by personal service or otherwise, shall:

Provide Plaintiff Timothy Miles, upon his request, with equally effective access to all material information UNCHCS provides its patients, which shall include, upon his request, large print documents in an accessible format; provided, however, that where such documents are not available at the time of the clinical encounter and upon Miles's request, UNCHCS shall provide an alternative method of communication, such as by reading the communication to Miles in a private location that best maintains Miles's privacy and independence until UNCHCS can provide, as soon as practicable, large print copies.

Provide DRNC constituent Dr. Ricky Scott, upon his request, equally effective access to all material information that UNCHCS provides its patients, which shall include, upon his request, accessible electronic documents configured for use by screen reading devices such as JAWS to the extent UNCHCS has control over such documents for manipulation for use by screen readers, or, upon Dr. Scott's request, in Braille; provided, however, that where such documents are not available at the time of the clinical encounter and upon Dr. Scott's request, UNCHCS shall provide an alternative method of communication, such as by reading the communication to Dr. Scott in a private location that best maintains Dr. Scott's privacy and independence until UNCHCS can provide, as soon as practicable, electronic or Braille copies.

IT is FURTHER ORDERED and ADJUDGED that this Judgment for Injunctive Relief will remain in effect for three (3) years from the date of entry.

IT IS FURTHER ORDERED AND ADJUDGED that this action is
DISMISSED WITH PREJUDICE.

Any petition for costs and attorneys' fees may be filed no
later than thirty days from the date of the entry of this Judgment
and Injunction.

 /s/ Thomas D. Schroeder
United States District Judge

June 22, 2023