

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

CALVERT L. POTTER, *et al.*, :
 :
 Plaintiffs, :
 :
 v. : Civil Action No. 01-1189 (JR)
 :
DISTRICT OF COLUMBIA, :
 :
 Defendant. :

ORDER

For the reasons stated in the accompanying memorandum, plaintiffs' motion for clarification of the existing preliminary injunction [# 62] is **granted**, as follows:

- The Department will not be required to assign the plaintiffs to field operations until or unless they can pass an appropriate face-fit test;
- Plaintiffs may be placed in administrative duty status until or unless they can pass an appropriate face-fit test; and
- Defendant must afford plaintiffs the opportunity to take and pass an appropriate face-fit test.

If is FURTHER ORDERED that plaintiffs' motion for a permanent injunction [# 63] is **denied without prejudice**; that the District's motion for judgment as a matter of law [# 67] is **denied without prejudice**; and that plaintiffs' emergency motion for order to show cause why the fire chief should not be held in

contempt, or, in the alternative, for an injunction preserving the status quo [# 73, # 74] is **denied**.

JAMES ROBERTSON
United States District Judge