

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JAMES BRIGGS, individually and on behalf)
of all others similarly situated,)
Plaintiffs,)

CASE NO. 3:12-CV-324 (VLB)

(CLASS ACTION)

v.)

RODERICK BREMBY, in his official capacity)
as Commissioner of the State of)
Connecticut Department of Social)
Services,)
Defendant.)

STIPULATION AND ORDER OF SETTLEMENT REGARDING
ATTORNEYS' FEE AND COSTS

WHEREAS, Plaintiffs brought this action under 42 U.S.C. § 1983 alleging that Defendant Roderick Bremby, in his official capacity as Commissioner of the State of Connecticut Department of Social Services, failed to provide Supplemental Nutrition Assistance Program ("SNAP") benefits within the time frames mandated by federal law to eligible households who apply for benefits.

WHEREAS, Plaintiffs sought declaratory and injunctive relief against Defendant on behalf of themselves and members of a certified class to require Defendant to determine such households' eligibility within the mandated time frames and provide SNAP within the mandated time frames to those eligible.

WHEREAS, the Court entered an order certifying the class on May 13, 2013. This Court also entered a Preliminary Injunction Order in this matter on May 13, 2013, which was affirmed by the Second Circuit on July 6, 2015.

WHEREAS, in the interest of avoiding the costs, burdens, and uncertainty of potential litigation, the parties agreed to resolve the issues presented in this litigation without further proceedings and without Defendant admitting any fault or liability.

WHEREAS, on March 9, 2017, the Court "so ordered" the Stipulation and Order of Settlement ("Settlement"), which approved the Settlement entered into by the parties; and

WHEREAS, the Settlement provides that "within forty-five ("45") days of entry of this Order, as an order of the Court, Plaintiffs shall file a bill of costs and motion for attorney's fees and costs with the Court pursuant to 42 U.S.C. § 1988. In response, Defendant shall not challenge Plaintiffs' entitlement to fees and costs as of the date of this agreement, but may only challenge the amount of the request"; and

WHEREAS, Plaintiffs and the Plaintiff Class and defendant, in his official capacity, now seek by this Stipulation and Order of Settlement Regarding Attorneys' Fees and Costs ("Stipulation") to resolve the issue of attorney's fees, costs, litigation expenses, and disbursements for the period through April 17, 2017, without further proceedings and on terms and conditions just and fair to the parties;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Class and Defendant, as represented below, as follows:

IT IS HEREBY ORDERED:

1. Defendant agrees to pay the total sum of nine hundred and twenty-two thousand dollars and no cents (\$922,000.00) to the below designated plaintiffs' counsel in full and complete satisfaction of any and all claims for attorney's fees, costs, litigation expenses, and disbursements sought by, or incurred on behalf of, the Plaintiff Class as against Defendant in connection with the acts, transactions, occurrences or omissions alleged in this action for the period through April 17, 2017 as well as any fees, costs or expenses incurred in negotiating the fee award through and including the date that this Stipulation is signed by the parties counsel.

2. Upon receipt of any forms and/or documents required by the State of Connecticut Office of the Comptroller, the State of Connecticut shall, within thirty (30) days thereof, make payment by delivering a check or wire transfer payable in the amounts of \$391,698.02 to Greater Hartford Legal Aid, 999 Asylum Ave., 3rd Floor, Hartford, CT 06105-2465 and \$530,301.98 to the National Center for Law and Economic Justice, 275 Seventh Avenue, Suite 1506, New York, NY 10001.

3. In consideration for the payment described in paragraphs 1 and 2 of this Stipulation, the Plaintiff Class and Plaintiffs' counsel herewith releases and forever discharges the State of Connecticut, the Connecticut Department of Social Services, Roderick Bremby and all other present or former officers, agents and employees of the State of Connecticut, from all actions, causes of action, suits, claims, controversies, damages and demands of every nature and name, in law and in equity, including attorneys' fees and costs, litigation expenses and

disbursements, which the Plaintiff Class and Plaintiffs' counsel, his successors and assigns or legal counsel ever had, now have or hereafter can, shall or may have for, upon or by reason of any matter, cause or thing whatsoever from the beginning of the world which are stated in or arise out of the factual incidents as set forth in the Complaint in the above-referenced case, and any claim for fees, costs and expenses that were incurred up to and including through April 17, 2017 as well as any fees, costs or expenses incurred in seeking and negotiating the fee award through and including the date that this Stipulation is signed by Plaintiffs' counsel.

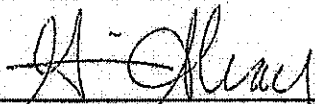
4. This Stipulation embodies the entire agreement of the parties in this matter and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation regarding the subject matter of the instant proceedings, other than the Settlement, shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

5. This Stipulation is final and binding upon the parties, their successors and assigns.

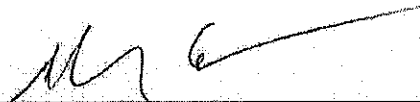
6. This Stipulation may be executed in several counterparts, each of which shall be deemed an original and which, taken together, shall constitute one and the same instrument.

AGREED TO AND SUBMITTED ON SEPTEMBER 7, 2017

FOR THE PLAINTIFFS:

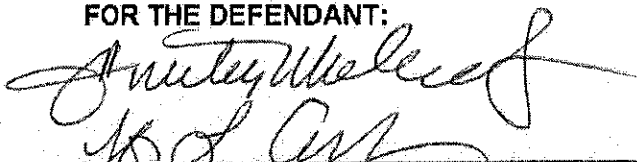


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[PROPOSED] ORDER

Pursuant to Fed. R. Civ. P. 23, this Court finds that the foregoing settlement in the above-captioned matter is fair, reasonable, and adequate, and it is:

SO ORDERED: _____
United States District Court Judge

DATED: _____