

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Tenner Murphy, by his guardian Kay  
Murphy; Marrie Bottelson; Dionne  
Swanson; and on behalf of others similarly  
situated,

Civil No. 16-2623 (DWF/BRT)

Plaintiffs,

v.

**ORDER ON UNOPPOSED MOTION  
FOR PRELIMINARY APPROVAL OF  
CLASS ACTION SETTLEMENT  
AGREEMENT**

Jodi Harpstead, in her Capacity  
as Commissioner of the Minnesota  
Department of Human Services,

Defendant.

The above-entitled matter came before the Court pursuant to Plaintiffs’  
Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement.  
Based upon the files, records, and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiffs’ Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement (Doc. No. [837]) is **GRANTED**.
2. The Parties shall disseminate the Notice of the Proposed Class Action Settlement and Fairness Hearing in accordance with Paragraph 6 of the Parties’ Agreement.
3. The Fairness Hearing consistent with the requirements of Rule 23(e)(2) of the Federal Rules of Civil Procedure shall be held at 9:00 a.m. on Wednesday, January 4, 2023, in Courtroom 7C located on the 7th floor of Warren E. Berger Federal Building

and U.S. Courthouse, 316 N. Robert Street, St. Paul, Minnesota before the Honorable Donovan W. Frank.

4. The Parties' Joint Motion for Costs and Attorneys' Fees shall be filed by November 10, 2022, and shall be heard at the Fairness Hearing on January 4, 2023.

5. Any objections to the settlement agreement or motion for costs and attorneys' fees must be submitted to Plaintiffs' attorneys by November 30, 2022, and as indicated in the agreement and notice, Plaintiffs' counsel shall provide Defense attorneys a copy of said objections. Plaintiffs' counsel shall file said objections by December 6, 2022, by using the Notice [other] event or Letter to District Court Judge. Any attorney submitting an objection on behalf of a class member must file electronically in CM/ECF their notice of appearance as an interested party, indicating the party they represent, by December 6, 2022.

Dated: July 27, 2022

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge