

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

|  |   |  |
|--|---|--|
| ANDREW C., by his next friend GREGORY                  | ) |  |
| ELLIOTT, for himself and those similarly               | ) |  |
| situated, <i>et al.</i> ,                              | ) |  |
|  | ) |  |
| Plaintiffs,  | ) |  |
|  | ) |  |
| v.   | ) | Civil Action No. 1:07-cv-00241-WES-PAS |
|  | ) |  |
| DANIEL MCKEE, in his official capacity as              | ) |  |
| Governor of the State of Rhode Island, <i>et al.</i> , | ) |  |
|  | ) |  |
| Defendants.  | ) |  |

**JOINT MOTION FOR APPROVAL OF SETTLEMENT REGARDING PLAINTIFFS’  
MOTION FOR ATTORNEYS’ FEES INCURRED JANUARY 1, 2020 THROUGH JUNE  
30, 2021**

Plaintiffs Andrew C., Matthew R., and Sean M., as class representatives on behalf of themselves and all other class members (collectively, “Plaintiffs”) and Defendants Daniel McKee, in his official capacity as Governor of the State of Rhode Island, Ana Novais, in her official capacity as Acting Secretary of the Executive Office of Health and Human Services, and Kevin Aucoin, in his official capacity as Acting Director of the Department of Children, Youth and Families (collectively “Defendants”), have reached a settlement regarding Plaintiffs’ Motion for Attorney’s Fees Incurred January 1, 2020 through June 30, 2021, ECF No. 613 (hereinafter “Motion for Attorney’s Fees”).

1. Pursuant to Rule 23 of the Federal Rules of Civil Procedure, the Parties respectfully request that the Court grant this motion and enter an order approving their settlement directing

Defendants to pay Plaintiffs \$72,570.18 in satisfaction of Plaintiffs' claim for attorney's fees incurred from January 1, 2020 through June 30, 2021.

2. In support, the Parties stipulate and agree that the fees settlement is a fair, reasonable, and adequate resolution of Plaintiffs' claim for attorney's fees for the relevant period. The Parties further stipulate that the agreement is the product of arm's length negotiation between their respective counsel, and that such negotiations took into account the Court's directives from the January 27, 2022 hearing regarding Plaintiffs' Motion for Attorney's Fees. This resolution includes within its scope all time entries set forth in Plaintiff's Motion (ECF 613) and also any and all time entries for work done prior to, during, or in any way associated with, this motion for fees and the negotiation thereof under any federal or state statute, law, regulation or the like or under the Settlement Agreement (ECF No. 586-1).

In support of this Motion, the Parties submit a proposed order.

Dated June 27, 2022

Respectfully submitted,

For the Plaintiffs,

/s/ Samantha M. Bartosz

Samantha M. Bartosz, *pro hac vice*

CHILDREN'S RIGHTS

88 Pine Street, 8th Floor

New York, New York 10005

(212) 683-2210

(212) 683-4015 (Fax)

[sbartosz@childrensrights.org](mailto:sbartosz@childrensrights.org)

For the Defendants,

By  
PETER F. NERONHA  
ATTORNEY GENERAL

/s/ Brenda Baum  
Brenda D. Baum (5184)  
Assistant Attorneys General  
150 South Main Street  
Providence, RI 02903  
(401) 274-4400 ext. 2294  
Fax: (401) 222-3016  
[bbaum@riag.ri.gov](mailto:bbaum@riag.ri.gov)

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing was filed electronically with the Clerk of Court on June 27, 2022 to be served by operation of the Court's electronic filing system upon all parties.

Samantha Bartosz  
Samantha M. Bartosz