

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

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J.J., *et. al.*,

Plaintiffs,

v.

Case No. 17-CV-47

Jon E. Litscher, *et. al.*,

Defendants.

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**ORDER PRELIMINARILY APPROVING THE SETTLEMENT AGREEMENT,  
ORDERING NOTICE TO THE CLASS, AND SCHEDULING A FAIRNESS HEARING**

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For the reasons set forth in the parties' Joint Motion for Preliminary Approval of Class Action Settlement,

**IT IS HEREBY ORDERED** that:

**Preliminary Approval of the Proposed Settlement**

1. The Court grants preliminary approval to the Proposed Settlement Agreement, finding it to be sufficiently fair, reasonable, and adequate for the purpose of such preliminary approval.

## **Notice to the Class**

2. The form and content of the Notice to the Class submitted and the plan for posting and distribution constitute “a reasonable manner” of providing notice and satisfy the requirements of Fed. R. Civ. P. 23(e)(1), Fed. R. Civ. P. 23(h)(1), and due process.

3. The proposed Notice to the Class is approved and shall be posted and distributed in the following manner:

Within 10 days of the entry of this Order, Defendants will (a) post at least one copy of the Notice to the Class and the Proposed Settlement Agreement on every bulletin board in the common areas of all housing units at the Lincoln Hills School for Boys and Copper Lake School for Girls (hereinafter “LHS/CLS”); (b) hand-deliver one copy of the Notice to the Class and the Proposed Settlement Agreement to each youth housed in room confinement; (c) send by first class mail one copy of the Notice to the Class and the Proposed Settlement Agreement to the parent or legal guardian of each youth incarcerated at LHS/CLS; and d) for youth no longer in custody but who were confined at Lincoln Hills School for Boys or Copper Lake School for Girls at anytime from September 18, 2017 through the present, send by first class mail one copy of the Notice to the Class and the Proposed Settlement Agreement to the last known address of both the youth and the parent/guardian. Within 15 days of the entry of this Order, Defendants and/or their agents will prepare and submit to Class Counsel a declaration of compliance with the above provision.

### **Objections from Class Members**

4. Objections to the Proposed Settlement Agreement must be made in writing and must be received by Plaintiffs' counsel no later than 30 days after the entry of this Order. Plaintiffs' counsel will timely forward objections to Defendants' counsel and will include them as an exhibit to Plaintiffs' Motion for Final Approval of the Settlement for the Court to review. Objections must state the basis of the objection and include any documents that the objector wishes the Court to consider. Class members intending to make an appearance *pro se* or through counsel shall include their intention in writing and are responsible for scheduling a time to appear by teleconference. Objections not complying with these requirements will not be considered by the Court except for good cause or at the Court's discretion.

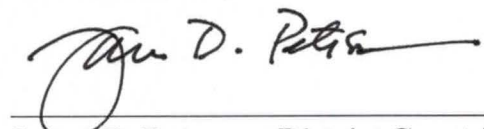
### **Motion for Final Approval & Scheduling of the Fairness Hearing**

5. Plaintiffs and/or the Parties jointly shall submit a Motion for Final Approval of the Settlement within 45 days of the entry of this Order.

6. The Court shall hold a Fairness Hearing pursuant to Fed. R. Civ. P. 23(e)(2) on September 13, 2018 at 9:00 am.

Dated this 20<sup>TH</sup> day of JUNE, 2018.

SO ORDERED,



James D. Peterson, District Court Judge