

The Honorable Barbara J. Rothstein

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

D.S.; D.Y. by and through his next friend  
JULIE KELLOGG-MORTENSEN; H.A.  
by and through his next friend KRISTEN  
BISHOPP; and DISABILITY RIGHTS  
WASHINGTON, a nonprofit membership  
organization for the federally mandated  
Protection and Advocacy Systems,

Plaintiffs,

v.

WASHINGTON STATE  
DEPARTMENT OF CHILDREN,  
YOUTH, AND FAMILIES; and ROSS  
HUNTER, in his official capacity as  
Secretary of the Washington State  
Department of Children, Youth, and  
Families,

Defendants.

NO. 2:21-cv-00113-BJR

JOINT STIPULATION FOR  
APPROVAL OF MODIFICATION  
TO SETTLEMENT SCHEDULE

The Parties, by and through their respective attorneys of record, hereby stipulate to the following:

On September 21, 2022, this Court issued an Order granting final approval of the Parties' class action settlement agreement. Order Granting Joint Motion for Final Approval of Class Action Settlement Agreement, Dkt. #123. Entry of this Order set in motion certain time frames

1 contemplated by the parties' Agreement and Settlement Order (the "Settlement"). Dkt. #94-1.  
2 The Parties now stipulate to minor modifications of the time frames set forth in the Settlement  
3 in order to ensure adequate time to complete implementation planning processes and integrate  
4 stakeholder feedback, as well as to accommodate the second quarterly meeting of the parties  
5 scheduled to occur on May 17, 2023.

6 The current schedule set out in the Parties' Agreement and Settlement Order (Dkt. #94-1)  
7 should be amended as follows:

- 8 1. The Stakeholder Report will be due on or by April 21, 2023 (*Id.* at ¶ 21,  
9 Attachment A at C.1.);
- 10 2. The Draft Implementation Plan will be due on or by June 2, 2023 (*Id.* at ¶ 22);
- 11 3. Comments on the Draft Implementation Plan from Plaintiffs and the Monitor will  
12 be due on or by July 3, 2023 (*Id.* at ¶ 23);
- 13 4. The Final Implementation Plan will be issued on or by August 2, 2023  
14 (*Id.* at ¶ 23).
- 15 5. The Monitor's draft initial report shall be provided on or by April 8, 2025.  
16 (*Id.* at ¶ 30).

17 I certify that this memorandum contains 240 words, in compliance with the Local Civil  
18 Rules.

19 RESPECTFULLY SUBMITTED this 5th day of April, 2023.

20 Presented by:

21 ROBERT W. FERGUSON  
22 Attorney General

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24 JAMES M. RICHARDSON III, WSBA No. 45095  
25 MARKO L. PAVELA, WSBA No. 49160  
26 *Assistant Attorneys General*

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**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF SERVICE**

I hereby certify that on April 5, 2023, I caused to be electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

CARINA TONG	<a href="mailto:carinat@dr-wa.org">carinat@dr-wa.org</a>
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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 5th day of April 2023.

ROBERT W. FERGUSON  
Attorney General



By:

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Attorneys for Defendants

The Honorable Barbara J. Rothstein

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NO. 2:21-cv-00113-BJR

[PROPOSED] ORDER  
GRANTING JOINT STIPULATION  
FOR APPROVAL OF  
MODIFICATION TO SETTLEMENT  
AGREEMENT

**[PROPOSED] ORDER GRANTING JOINT STIPULATION FOR APPROVAL OF  
MODIFICATION TO SETTLEMENT SCHEDULE**

Having considered the Parties' Stipulation and good cause appearing, it is hereby  
ORDERED that:

1 The current schedule set out in the Parties' Agreement and Settlement Order (Dkt. #94-1)  
2 should be amended as follows:

- 3 1. The Stakeholder Report will be due on or by April 21, 2023 (*Id.* at ¶ 21,  
4 Attachment A at C.1.);
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7 be due on or by July 3, 2023 (*Id.* at ¶ 23);
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9 (*Id.* at ¶ 23).
- 10 5. The Monitor's draft initial report shall be provided on or by April 8, 2025.  
11 (*Id.* at ¶ 30).

12 IT IS SO ORDERED:

13 Dated: April 17, 2023

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16 BARBARA J. ROTHSTEIN  
17 United States District Judge

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24 //

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I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

DATED this 5th day of April 2023.

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