

**U.S. District Court
U.S. District of Minnesota (DMN)
CIVIL DOCKET FOR CASE #: 0:09-cv-01775-DWF-BRT**

Jensen et al v. Minnesota Department of Human Services et al
Assigned to: Judge Donovan W. Frank
Referred to: Magistrate Judge Becky R. Thorson
rel Cases: 0:15-cv-03439-DWF-BRT
0:16-cv-02623-DWF-BRT

Date Filed: 07/10/2009
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Case in other court: USCA 8th Circuit, 17-02653
USCA 8th Circuit, 20-01126
US Court of Appeals, Eighth Circuit,
20-01399

Cause: 42:12101 Americans with Disabilities Act

Plaintiff

James Jensen

*as parents, guardians and next friends of
Bradley J. Jensen and others similarly
situated*

represented by **Mark R Azman**
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TERMINATED: 03/14/2014

Plaintiff

Lorie Jensen

*as parents, guardians and next friends of
Bradley J. Jensen and others similarly
situated*

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Margaret Ann Santos
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TERMINATED: 03/14/2014

Plaintiff

James Brinker

*as parents, guardians and next friends of
Thomas M. Allbrink and others similarly
situated*

represented by **Mark R Azman**
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TERMINATED: 03/14/2014

Plaintiff

Darren Allen

*as parents, guardians and next friends of
Thomas M. Allbrink and others similarly
situated*

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TERMINATED: 03/14/2014

Plaintiff

Elizabeth Jacobs

*as parent, guardian and next friend of
Jason R. Jacobs and others similarly
situated*

represented by **Mark R Azman**
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TERMINATED: 03/14/2014

V.

Defendant

**Minnesota Department of Human
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an agency of the State of Minnesota

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TERMINATED: 08/11/2014

Defendant

Director

*Minnesota Extended Treatment Options,
a program of the Minnesota Department
of Human Services, an agency of the
State of Minnesota*

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TERMINATED: 08/11/2014

Defendant

Clinical Director

*the Minnesota Extended Treatment
Options, a program of the Minnesota
Department of Human Services, an
agency of the State of Minnesota*

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TERMINATED: 08/11/2014

Defendant

Douglas Bratvold

*individually, and as Director of the
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a program of the Minnesota Department
of Human Services, an agency of the
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Steven H Alpert
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TERMINATED: 08/11/2014

Defendant

Scott TenNapel
*individually, and as Clinical Director of
the Minnesota Extended Treatment
Options, a program of the Minnesota
Department of Human Services, an
agency of the State of Minnesota*

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Defendant

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Date Filed	#	Docket Text
07/10/2009	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350 receipt number 3-005937.) assigned to Judge Donovan W. Frank per Civil Rights referred to Magistrate Judge

		Franklin L. Noel, filed by James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit 1 Part A, # <u>2</u> Exhibit 1 Part B, # <u>3</u> Exhibit 1 Part C.1, # <u>4</u> Exhibit 1 Part C.2, # <u>5</u> Exhibit 1 Part D) (VEM) (Additional attachment(s) added on 7/13/2009: # <u>6</u> Civil Cover Sheet) (vem). (Entered: 07/13/2009)
07/10/2009		Summons Issued as to Director, Clinical Director, Douglas Bratvold, Scott TenNapel, Minnesota, State of, Minnesota Department of Human Services. (VEM) (Entered: 07/13/2009)
07/10/2009	<u>2</u>	AFFIDAVIT of Shamus P. O'Meara re <u>1</u> Complaint, by James Jensen, Lorie Jensen. (VEM) (Entered: 07/13/2009)
07/30/2009	<u>3</u>	AMENDED COMPLAINT against Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel, filed by James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) 1-A, # <u>2</u> Exhibit(s) 1-B, # <u>3</u> Exhibit(s) 1-C.1, # <u>4</u> Exhibit(s) 1-C.2, # <u>5</u> Exhibit(s) 1-D, # <u>6</u> Exhibit(s) 2, # <u>7</u> Exhibit(s) 3, # <u>8</u> Exhibit(s) 4, # <u>9</u> Exhibit(s) 5) (Azman, Mark) (Entered: 07/30/2009)
07/31/2009		Summons Issued as to Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (VEM) (Entered: 07/31/2009)
08/11/2009	<u>4</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>through counsel</i> . (Attachments: # <u>1</u> Certificate of Service)(Azman, Mark) (Entered: 08/11/2009)
08/20/2009	<u>5</u>	NOTICE of Appearance by Paul Kenneth Kohnstamm on behalf of Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Attachments: # <u>1</u> Certificate of Service)(Kohnstamm, Paul) (Entered: 08/20/2009)
08/20/2009	<u>6</u>	NOTICE of Appearance by Steven H Alpert on behalf of Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Attachments: # <u>1</u> Certificate of Service)(Alpert, Steven) (Entered: 08/20/2009)
08/20/2009	<u>7</u>	ORDER the Court hereby extends the time for the Defendants to answer the Amended Complaint to October 23, 2009. Signed by Judge Donovan W. Frank on 8/20/09. (GMO) Modified text on 8/21/2009 (vem). (Entered: 08/20/2009)
08/24/2009	<u>8</u>	SUMMONS Returned Executed by James Brinker, James Jensen, Elizabeth Jacobs, Darren Allen, Lorie Jensen. Douglas Bratvold served on 7/31/2009, answer due 10/23/2009; Clinical Director served on 7/31/2009, answer due 10/23/2009; Director served on 7/31/2009, answer due 10/23/2009; Minnesota Department of Human Services served on 7/31/2009, answer due 10/23/2009; Minnesota, State of served on 7/31/2009, answer due 10/23/2009; Scott TenNapel served on 8/10/2009, answer due 10/23/2009. (Attachments: # <u>1</u> Affidavit of Service Minnesota Department of Human Services, # <u>2</u> Affidavit of Service Director – METO, # <u>3</u> Affidavit of Service Clinical Director – METO, # <u>4</u> Affidavit of Service Douglas Bratvold (personally and as Director of METO), # <u>5</u> Affidavit of Service Scott TenNapel as Clinical Director of METO, # <u>6</u> Certificate of Service Scott TenNapel – individually, # <u>7</u> Affidavit of Service State of Minnesota)(Azman, Mark) (Entered: 08/24/2009)
11/06/2009	<u>9</u>	NOTICE OF INTITAL PRETRIAL CONFERENCE: (Pretrial Conference set for 1/12/2010 09:15 AM in Judge's Chambers 9W (MPLS) before Magistrate Judge Franklin L. Noel). Signed by Magistrate Judge Franklin L. Noel on 11/6/09. (Attachments: # <u>1</u> Consent Form)(akl) (Entered: 11/06/2009)
11/20/2009	<u>10</u>	NOTICE OF CANCELLATION OF PRETRIAL CONFERENCE. Signed by Magistrate Judge Franklin L. Noel on 11/20/09. (akl) (Entered: 11/20/2009)
03/01/2010	<u>13</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 3/1/2010. (BJS) (Entered: 03/02/2010)
03/02/2010	<u>11</u>	DOCUMENT FILED IN ERROR PER COUNSEL: LETTER TO MAGISTRATE JUDGE by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) Modified text on 3/2/2010 (kt). (Entered: 03/02/2010)

03/02/2010	<u>12</u>	LETTER TO JUDGE by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) Modified text on 3/3/2010 (vem). (Entered: 03/02/2010)
03/03/2010	<u>14</u>	LETTER TO DISTRICT JUDGE by James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 03/03/2010)
03/08/2010	<u>15</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 3/8/2010. (BJS) (Entered: 03/08/2010)
03/08/2010	<u>16</u>	ORDER. 1. The Defendants shall submit a detailed draft settlement agreement to the Plaintiffs by April 2, 2010. 2. The Plaintiffs shall submit a detailed response to the Defendants' settlement documents no later than April 14, 2010. 3. The parties are respectfully directed to contact Magistrate Judge Franklin L.Noel's Calendar Clerk, Cathy Orlando, at 612-664-5110, for the purpose of setting up a settlement conference to discuss potential resolution of the case before the Court as well as the necessity, if any, of temporary injunctive relief, absent stipulation of the parties. 3. The settlement discussions shall include the development of a consent decree-settlement agreement to resolve some or all of the issues before the Court. Signed by Judge Donovan W. Frank on 3/8/2010. (BJS) (Entered: 03/08/2010)
03/26/2010	<u>17</u>	NOTICE OF SETTLEMENT CONFERENCE: (Settlement Conference set for 5/10/2010 02:00 PM in Courtroom 9W (MPLS) before Magistrate Judge Franklin L. Noel). Signed by Magistrate Judge Franklin L. Noel on 3/26/10. (akl) (Entered: 03/26/2010)
05/04/2010	<u>18</u>	Minute Entry for proceedings held before Magistrate Judge Franklin L. Noel: Telephone Conference held on 5/4/2010. (akl) (Entered: 05/04/2010)
05/10/2010	<u>19</u>	Minute Entry for proceedings held before Magistrate Judge Franklin L. Noel: Initial Pretrial Conference held on 5/10/2010. (akl) (Entered: 05/11/2010)
05/12/2010	<u>20</u>	PRETRIAL SCHEDULING ORDER: (Case Management Conference set for 9/14/2010 02:00 PM in Judge's Chambers 9W (MPLS) before Magistrate Judge Franklin L. Noel, Discovery due by 12/1/2010, Motions (disp) due by 9/1/2010). Signed by Magistrate Judge Franklin L. Noel on 5/12/10. (akl) (Entered: 05/12/2010)
06/25/2010	<u>21</u>	STIPULATION re <u>3</u> Amended Complaint, <i>Of The Parties For Extension Of Time To Respond To Amended Complaint</i> by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie Jensen, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) (Entered: 06/25/2010)
06/29/2010	<u>22</u>	ORDER: If Defendant concedes that Plaintiffs' complaint has merit, it should settle. If not, it must answer, so that issues in dispute can be joined. The parties request to extend the deadline for the Defendants to answer the Complaint is DENIED. Signed by Magistrate Judge Franklin L. Noel on 6/29/10. (akl) (Entered: 06/30/2010)
07/01/2010	<u>23</u>	NOTICE of Appearance by Samuel D Orbovich on behalf of Scott TenNapel. (Orbovich, Samuel) (Entered: 07/01/2010)
07/01/2010	<u>24</u>	ANSWER to Amended Complaint by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Certificate of Service) (Kohnstamm, P) (Entered: 07/01/2010)
07/01/2010	<u>25</u>	MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> by Scott TenNapel. (Orbovich, Samuel) (Entered: 07/01/2010)
07/01/2010	<u>26</u>	NOTICE OF HEARING ON MOTION <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> : Motion Hearing set for 8/30/2010 08:30 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Orbovich, Samuel) (Entered: 07/01/2010)
07/01/2010	<u>27</u>	MEMORANDUM in Support re <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> filed by Scott TenNapel. (Orbovich, Samuel) (Entered: 07/01/2010)
07/01/2010	<u>28</u>	CERTIFICATE OF SERVICE by Scott TenNapel re <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> , <u>27</u> Memorandum in Support of

		Motion, <u>26</u> Notice of Hearing on Motion, <u>23</u> Notice of Appearance (Orbovich, Samuel) (Entered: 07/01/2010)
07/12/2010	<u>29</u>	MOTION to Compel <i>Class Certification Discovery Responses</i> , MOTION for Protective Order by James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>30</u>	NOTICE OF HEARING ON MOTION <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order : Motion Hearing set for 7/26/2010 09:30 AM in Courtroom 9W (MPLS) before Magistrate Judge Franklin L. Noel. (Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>31</u>	MEMORANDUM in Support re <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>32</u>	AFFIDAVIT of M. Annie Mullin in SUPPORT OF <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>33</u>	AFFIDAVIT of Mark R. Azman in SUPPORT OF <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>34</u>	AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s))(Mullin, Margaret) (Entered: 07/12/2010)
07/12/2010	<u>35</u>	CERTIFICATE OF SERVICE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>34</u> Affidavit in Support of Motion, <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order, <u>31</u> Memorandum in Support of Motion, <u>30</u> Notice of Hearing on Motion, <u>32</u> Affidavit in Support of Motion, <u>33</u> Affidavit in Support of Motion (Mullin, Margaret) (Entered: 07/12/2010)
07/19/2010	<u>36</u>	RESPONSE in Opposition re <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Kohnstamm, P) (Entered: 07/19/2010)
07/19/2010	<u>37</u>	AFFIDAVIT of Frances Bly in OPPOSITION TO <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Kohnstamm, P) (Entered: 07/19/2010)
07/19/2010	<u>38</u>	AFFIDAVIT of Steven H. Alpert in OPPOSITION TO <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Kohnstamm, P) Modified text on 7/19/2010 (vem). (Entered: 07/19/2010)
07/19/2010	<u>39</u>	CERTIFICATE OF SERVICE by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of re <u>38</u> Affidavit in Opposition to Motion,, <u>36</u> Response in Opposition to Motion, <u>37</u> Affidavit in Opposition to Motion, (Kohnstamm, P) (Entered: 07/19/2010)
07/19/2010	<u>40</u>	MOTION to Dismiss <i>Various Claims Against State Defendants</i> by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Alpert, Steven) (Entered: 07/19/2010)
07/19/2010	<u>41</u>	NOTICE OF HEARING ON MOTION <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> : Motion Hearing set for 8/30/2010 08:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Alpert, Steven) (Entered: 07/19/2010)

07/19/2010	<u>42</u>	MEMORANDUM in Support re <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 07/19/2010)
07/19/2010	<u>43</u>	CERTIFICATE OF SERVICE by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of re <u>42</u> Memorandum in Support of Motion, <u>41</u> Notice of Hearing on Motion, <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> . (Alpert, Steven) (Entered: 07/19/2010)
07/19/2010	<u>44</u>	CERTIFICATE OF SERVICE by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of re <u>42</u> Memorandum in Support of Motion, <u>41</u> Notice of Hearing on Motion, <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> (Alpert, Steven) (Entered: 07/19/2010)
07/19/2010	<u>45</u>	MOTION to Certify Class by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>46</u>	NOTICE OF HEARING ON MOTION <u>45</u> MOTION to Certify Class : Motion Hearing set for 8/30/2010 08:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>47</u>	MOTION for Preliminary Injunction by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>48</u>	NOTICE OF HEARING ON MOTION <u>47</u> MOTION for Preliminary Injunction : Motion Hearing set for 8/30/2010 08:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>49</u>	MEMORANDUM in Support re <u>47</u> MOTION for Preliminary Injunction filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>50</u>	MEMORANDUM in Support re <u>45</u> MOTION to Certify Class filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>51</u>	AFFIDAVIT of Julie Kenney in SUPPORT OF <u>45</u> MOTION to Certify Class, <u>47</u> MOTION for Preliminary Injunction filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 07/19/2010)
07/19/2010	<u>52</u>	DOCUMENT FILED IN ERROR HAS BEEN REFILED SEE DOCKET #54 – AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>47</u> MOTION for Preliminary Injunction, <u>45</u> MOTION to Certify Class filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s), # <u>3</u> Exhibit(s) 2, # <u>4</u> Exhibit(s) 3, # <u>5</u> Exhibit(s) 4, # <u>6</u> Exhibit(s) 5, # <u>7</u> Exhibit(s) 6, # <u>8</u> Exhibit(s) 7, # <u>9</u> Exhibit(s) 8, # <u>10</u> Exhibit(s) 9, # <u>11</u> Exhibit(s) 10, # <u>12</u> Exhibit(s) 11, # <u>13</u> Exhibit(s) 12, # <u>14</u> Exhibit(s) 13, # <u>15</u> Exhibit(s) 14, # <u>16</u> Exhibit(s) 15, # <u>17</u> Exhibit(s) 16)(Mullin, Margaret) Modified on 7/20/2010 (kt). Modified on 7/21/2010 (VEM). (Entered: 07/19/2010)
07/19/2010	<u>53</u>	CERTIFICATE OF SERVICE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>50</u> Memorandum in Support of Motion, <u>51</u> Affidavit in Support of Motion, <u>52</u> Affidavit in Support of Motion,, <u>45</u> MOTION to Certify Class, <u>46</u> Notice of Hearing on Motion, <u>49</u> Memorandum in Support of Motion, <u>47</u> MOTION for Preliminary Injunction, <u>48</u> Notice of Hearing on Motion. (Mullin, Margaret) (Entered: 07/19/2010)
07/20/2010	<u>54</u>	Corrected AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>45</u> MOTION to Certify Class, <u>47</u> MOTION for Preliminary Injunction filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Certificate of Service)(Mullin, Margaret) (Entered: 07/20/2010)
07/21/2010	<u>55</u>	EXHIBIT 1 re <u>54</u> Affidavit in Support of Motion, <i>Exhibits Supporting Revised Affidavit of Shamus P. O'Meara</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) 1–A, # <u>2</u> Exhibit(s) 2, # <u>3</u> Exhibit(s) 3, # <u>4</u> Exhibit(s) 4, # <u>5</u> Exhibit(s) 5, # <u>6</u> Exhibit(s) 6, # <u>7</u> Exhibit(s) 7, # <u>8</u>

		Exhibit(s) 8, # <u>2</u> Exhibit(s) 9, # <u>10</u> Exhibit(s) 10, # <u>11</u> Exhibit(s) 11, # <u>12</u> Exhibit(s) 12, # <u>13</u> Exhibit(s) 13, # <u>14</u> Exhibit(s) 14, # <u>15</u> Exhibit(s) 15, # <u>16</u> Exhibit(s) 16, # <u>17</u> Certificate of Service)(Mullin, Margaret) (Entered: 07/21/2010)
07/26/2010	<u>56</u>	Minute Entry for proceedings held before Magistrate Judge Franklin L. Noel: Motion Hearing held on 7/26/2010 re <u>29</u> MOTION to Compel <i>Class Certification Discovery Responses</i> MOTION for Protective Order filed by James Brinker, James Jensen, Lorie Jensen, Elizabeth Jacobs. Motion taken under advisement. Order to be issued. (Court Reporter Dawn Hansen) (akl) (Entered: 07/26/2010)
08/02/2010	<u>57</u>	PROTECTIVE ORDER. Signed by Magistrate Judge Franklin L. Noel on 8/2/10. (LPH) (Entered: 08/02/2010)
08/02/2010	<u>58</u>	MOTION to Amend/Correct the amended complaint by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Redlined Second Amended Complaint, # <u>2</u> Second Amended Complaint)(Mullin, Margaret) Modified text on 8/3/2010 (vem). (Entered: 08/02/2010)
08/02/2010	<u>59</u>	NOTICE OF HEARING ON MOTION <u>58</u> MOTION to Amend/Correct : Motion Hearing set for 8/16/2010 09:00 AM in Courtroom 9W (MPLS) before Magistrate Judge Franklin L. Noel. (Mullin, Margaret) (Entered: 08/02/2010)
08/02/2010	<u>60</u>	MEMORANDUM in Support re <u>58</u> MOTION to Amend/Correct filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, Margaret) (Entered: 08/02/2010)
08/02/2010	<u>61</u>	AFFIDAVIT of Mark R. Azman in SUPPORT OF <u>58</u> MOTION to Amend/Correct filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit 1)(Mullin, Margaret) Modified text on 8/3/2010 (vem). (Entered: 08/02/2010)
08/02/2010	<u>62</u>	CERTIFICATE OF SERVICE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>59</u> Notice of Hearing on Motion, <u>60</u> Memorandum in Support of Motion, <u>61</u> Affidavit in Support of Motion, <u>58</u> MOTION to Amend/Correct (Mullin, Margaret) (Entered: 08/02/2010)
08/03/2010	<u>63</u>	ORDER granting in part and denying in part <u>29</u> Defendants to Produce Class Certification Discovery and for a Protective Order. Signed by Magistrate Judge Franklin L. Noel on 8/2/10. (akl) (Entered: 08/03/2010)
08/09/2010	<u>64</u>	MEMORANDUM in Opposition re <u>58</u> MOTION to Amend/Correct filed by Scott TenNapel. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Stafford, Christopher) (Entered: 08/09/2010)
08/09/2010	<u>65</u>	MEMORANDUM in Opposition re <u>45</u> MOTION to Certify Class filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Alpert, Steven) (Entered: 08/09/2010)
08/09/2010	<u>66</u>	RESPONSE in Opposition re <u>47</u> MOTION for Preliminary Injunction filed by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Kohnstamm, P) (Entered: 08/09/2010)
08/09/2010	<u>67</u>	AFFIDAVIT of Dr. Natalie Marr in OPPOSITION TO <u>47</u> MOTION for Preliminary Injunction filed by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) (Entered: 08/09/2010)
08/09/2010	<u>68</u>	AFFIDAVIT of L. Read Sulick, M.D. in OPPOSITION TO <u>47</u> MOTION for Preliminary Injunction filed by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) (Entered: 08/09/2010)
08/09/2010	<u>69</u>	AFFIDAVIT of Alan Radke, M.D. in OPPOSITION TO <u>47</u> MOTION for Preliminary Injunction filed by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Kohnstamm, P) (Entered: 08/09/2010)

08/09/2010	<u>70</u>	AFFIDAVIT of P. Kenneth Kohnstamm in OPPOSITION TO <u>47</u> MOTION for Preliminary Injunction filed by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Attachments: # <u>1</u> Exhibit(s) e-mail correspondence, # <u>2</u> Exhibit(s) letter, # <u>3</u> Exhibit(s) letter, # <u>4</u> Exhibit(s) Oklahoma policies, # <u>5</u> Exhibit(s) Settlement Agreement, # <u>6</u> Exhibit(s) Settlement Agreement)(Kohnstamm, P) (Entered: 08/09/2010)
08/09/2010	<u>71</u>	CERTIFICATE OF SERVICE by Douglas Bratvold, Clinical Director, Director, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel re <u>67</u> Affidavit in Opposition to Motion, <u>69</u> Affidavit in Opposition to Motion, <u>70</u> Affidavit in Opposition to Motion, <u>66</u> Response in Opposition to Motion, <u>68</u> Affidavit in Opposition to Motion (Kohnstamm, P) (Entered: 08/09/2010)
08/09/2010	<u>72</u>	MEMORANDUM in Opposition re <u>58</u> MOTION to Amend/Correct filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Alpert, Steven) (Entered: 08/09/2010)
08/09/2010	<u>73</u>	MEMORANDUM in Opposition re <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 08/09/2010)
08/09/2010	<u>74</u>	MEMORANDUM in Opposition re <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 08/09/2010)
08/09/2010	<u>75</u>	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>74</u> Memorandum in Opposition to Motion, <u>73</u> Memorandum in Opposition to Motion. (Mullin, Margaret) (Entered: 08/09/2010)
08/09/2010	<u>76</u>	CERTIFICATE OF SERVICE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>74</u> Memorandum in Opposition to Motion, <u>75</u> LR7.1 Word Count Compliance Certificate, <u>73</u> Memorandum in Opposition to Motion (Mullin, Margaret) (Entered: 08/09/2010)
08/16/2010	<u>77</u>	Minute Entry for proceedings held before Magistrate Judge Franklin L. Noel: Motion Hearing held on 8/16/2010 re <u>58</u> MOTION to Amend/Correct filed by James Brinker, James Jensen, Lorie Jensen, Elizabeth Jacobs, Darren Allen. Motion taken under advisement. Order to be issued. (Court Reporter Lorilee Fink) (akl) (Entered: 08/16/2010)
08/16/2010	<u>78</u>	ORDER granting in part and denying in part <u>58</u> Motion to Amend the Complaint. Signed by Magistrate Judge Franklin L. Noel on 8/16/10. (akl) (Entered: 08/16/2010)
08/16/2010	<u>79</u>	REPLY re <u>42</u> Memorandum in Support of Motion, <i>Rule 12 Motion to Dismiss Various Claims Against State Defendants</i> filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 08/16/2010)
08/16/2010	<u>80</u>	AFFIDAVIT of Steven H. Alpert in SUPPORT OF <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> filed by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Alpert, Steven) Modified text on 8/17/2010 (vem). (Entered: 08/16/2010)
08/16/2010	<u>81</u>	CERTIFICATE OF SERVICE by Douglas Bratvold, Director, Minnesota Department of Human Services, Minnesota, State of re <u>79</u> Reply, <u>80</u> Affidavit in Support of Motion, (Alpert, Steven) (Entered: 08/16/2010)
08/16/2010	<u>82</u>	REPLY to Response to Motion re <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> filed by Scott TenNapel. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate, # <u>2</u> Certificate of Service)(Stafford, Christopher) (Entered: 08/16/2010)
08/16/2010	<u>83</u>	REPLY to Response to Motion re <u>45</u> MOTION to Certify Class filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret)

		(Entered: 08/16/2010)
08/16/2010	<u>84</u>	REPLY to Response to Motion re <u>47</u> MOTION for Preliminary Injunction filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, Margaret) (Entered: 08/16/2010)
08/16/2010	<u>85</u>	AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>47</u> MOTION for Preliminary Injunction, <u>45</u> MOTION to Certify Class <i>Reply</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Mullin, Margaret) Modified text on 8/17/2010 (vem). (Entered: 08/16/2010)
08/16/2010	<u>86</u>	LR7.1 WORD COUNT COMPLIANCE CERTIFICATE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>83</u> Reply to Response to Motion, <u>84</u> Reply to Response to Motion. (Mullin, Margaret) (Entered: 08/16/2010)
08/16/2010	<u>87</u>	CERTIFICATE OF SERVICE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen re <u>86</u> LR7.1 Word Count Compliance Certificate, <u>83</u> Reply to Response to Motion, <u>85</u> Affidavit in Support of Motion., <u>84</u> Reply to Response to Motion (Mullin, Margaret) (Entered: 08/16/2010)
08/30/2010	<u>88</u>	AMENDED NOTICE of Hearing on Motion: <u>47</u> MOTION for Preliminary Injunction, <u>45</u> MOTION to Certify Class : Motion Hearing set for 9/21/2010 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Attachments: # <u>1</u> Certificate of Service)(Mullin, Margaret) (Entered: 08/30/2010)
09/02/2010	<u>89</u>	AMENDED NOTICE of Hearing on Motion: <u>40</u> MOTION to Dismiss <i>Various Claims Against State Defendants</i> : Motion Hearing set for 9/21/2010 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Attachments: # <u>1</u> Certificate of Service)(Alpert, Steven) (Entered: 09/02/2010)
09/03/2010	<u>90</u>	AMENDED NOTICE of Hearing on Motion: <u>25</u> MOTION to Dismiss <i>Scott Tennapel in his Individual and Official Capacities</i> : Motion Hearing set for 9/21/2010 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Attachments: # <u>1</u> Certificate of Service)(Stafford, Christopher) (Entered: 09/03/2010)
09/08/2010	<u>91</u>	Joint STATEMENT OF CASE as to all parties. (Mullin, Margaret) Modified filers and text on 9/9/2010 (akl). (Entered: 09/08/2010)
09/09/2010	<u>92</u>	CERTIFICATE OF SERVICE by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie Jensen, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel re <u>91</u> Statement of Case <i>Joint</i> (Mullin, Margaret) (Entered: 09/09/2010)
09/14/2010	<u>93</u>	*TEXT ONLY ENTRY* NOTICE of Cancellation of Hearing: Case Management Conference set for 9/14/2010 02:00 PM in Judge's Chambers 9W (MPLS) before Magistrate Judge Franklin L. Noel is cancelled. (CAO) (Entered: 09/14/2010)
12/07/2010	<u>94</u>	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Chambers Conference set for 12/13/2010 10:15 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 12/07/2010)
12/13/2010	<u>95</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 12/13/2010. (Court Reporter NA) (BJS) (Entered: 12/14/2010)
02/08/2011	<u>96</u>	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 2/9/2011 10:00 AM in Chambers 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 02/08/2011)
02/09/2011	<u>97</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 2/9/2011. (BJS) (Entered: 02/10/2011)
04/21/2011	<u>98</u>	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 5/3/2011 09:00 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 04/21/2011)
05/03/2011	<u>99</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 5/3/2011. (Court Reporter NA) (BJS) (Entered: 05/09/2011)

06/16/2011	100	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 6/23/2011 08:00 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 06/16/2011)
06/23/2011	<u>101</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 6/23/2011. Written order to issue. (Court Reporter NA) (BJS) (Entered: 06/23/2011)
06/23/2011	<u>102</u>	HEARING ORDER. See Order for details. Signed by Judge Donovan W. Frank on 6/23/2011. (BJS) (Entered: 06/23/2011)
06/23/2011	<u>103</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>Letter to The Honorable Donovan Frank</i> . (O'Meara, Shamus) (Entered: 06/23/2011)
06/23/2011	<u>104</u>	SETTLEMENT AGREEMENT <i>Stipulated Class Action Settlement Agreement</i> by James Brinker, James Jensen, Elizabeth Jacobs, Darren Allen, Lorie Jensen. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachments B and D, # <u>3</u> Attachment C, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5)(O'Meara, Shamus) Modified text on 6/27/2011 (akl). (Entered: 06/23/2011)
06/23/2011	<u>107</u>	Amended Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 6/23/2011. Written order to issue. (Court Reporter NA) (BJS) (Entered: 07/20/2011)
06/24/2011	<u>105</u>	NOTICE OF PENDENCY AND PROPOSED SETTLEMENT OF CLASS ACTION signed by Judge Donovan W. Frank on 6/24/2011. (BJS) (Entered: 06/24/2011)
07/14/2011	106	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 7/20/2011 08:30 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 07/14/2011)
07/20/2011	108	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 8/3/2011 08:30 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 07/20/2011)
07/20/2011	<u>109</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 7/20/2011. Written order to issue. (Court Reporter NA) (BJS) (Entered: 07/20/2011)
07/21/2011	110	*TEXT ONLY ENTRY* NOTICE of Resetting of Hearing: Status Conference now set for 8/2/2011 08:30 AM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 07/21/2011)
07/22/2011	<u>111</u>	ORDER. 1. Pursuant to Fed. R. Civ. P. 17(c) 2, the discretion provided this Court under the Class Action Settlement Agreement, and pursuant to the inherent equitable authority of this Court, the Court hereby orders that each guardian, conservator, or other individual with existing legal authority to act on behalf of any individual identified as a class member in this litigation, is hereby authorized and appointed by this Court to review with and explain to the class member and any other legal representative of the class member, the Notice and class action settlement agreement documents mailed to them by Settlement Class Counsel. That said person with legal authority is further authorized to execute and submit the Claim Form necessary for the class member to be included in the Court's determination of the apportionment of the settlement payment under the settlement agreement, or to execute and submit the Request for Exclusion (Opt Out) form in order to be excluded from the class action settlement and any portion of the settlement payment. See Order for additional information. Signed by Judge Donovan W. Frank on 7/22/2011. (BJS) (Entered: 07/22/2011)
08/02/2011	<u>112</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 8/2/2011. Next status conference set for August 17, 2011, at 10:00 a.m. in Chambers 724. A conference bridge will also be established for this conference call; additional details to follow. (Court Reporter Jeanne Anderson) (BJS) (Entered: 08/03/2011)
08/08/2011	<u>113</u>	STIPULATION for Amended Protective Order by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie

		Jensen, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Mullin, M) (Entered: 08/08/2011)
08/09/2011	<u>114</u>	AMENDED PROTECTIVE ORDER. See Order for details. Signed by Judge Donovan W. Frank on 8/9/2011. (BJS) (Entered: 08/09/2011)
08/12/2011	<u>115</u>	STIPULATION <i>for Order and Order</i> by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie Jensen, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Mullin, M) (Entered: 08/12/2011)
08/15/2011	<u>116</u>	ORDER. 1. Counties in the State of Minnesota that have been delegated guardianship and/or conservatorship authority and/or are the county of financial responsibility of Class Members, are hereby authorized to release contact information, including the name, address and/or telephone number, of Class Members and/or their parents, guardians, conservators, or other authorized representatives, to the law firm of Johnson & Condon, P.A. upon written request. 2. Any such information released in accordance with Paragraph 1 shall be designated as Confidential and subject to the Protective Order (Doc. No. <u>57</u>) and Amended Protective Order (Doc. No. <u>114</u>) entered in this matter. Signed by Judge Donovan W. Frank on 8/15/2011. (BJS) (Entered: 08/15/2011)
08/17/2011	<u>117</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Phone-in Status Conference held on 8/17/2011. Class members, guardians, and family members had the opportunity to call in and ask questions regarding this case and the settlement. (Court Reporter Jeanne Anderson) (BJS) (Entered: 08/17/2011)
08/31/2011	118	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 9/6/2011 03:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 08/31/2011)
09/06/2011	<u>119</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 9/6/2011. A status conference was held and phone calls were made to some Opt-Out class members. (Court Reporter Jeanne Anderson) (BJS) Modified filed date and text on 9/8/2011 (akl). (Entered: 09/07/2011)
09/08/2011	<u>120</u>	STIPULATION <i>for Order</i> by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie Jensen, Minnesota Department of Human Services, Minnesota, State of, Scott TenNapel. (Mullin, M) (Entered: 09/08/2011)
09/09/2011	<u>121</u>	ORDER. The deadline for submitting a Claim Form to share in any settlement payments shall be extended from September 15, 2011, to October 15, 2011. Signed by Judge Donovan W. Frank on 9/9/2011. (BJS) (Entered: 09/09/2011)
11/01/2011	<u>122</u>	MOTION for Approval of Settlement , MOTION for Attorney Fees by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, M) (Entered: 11/01/2011)
11/01/2011	<u>123</u>	NOTICE OF HEARING ON MOTION <u>122</u> MOTION for Approval of Settlement MOTION for Attorney Fees : Motion Hearing set for 12/1/2011 10:00 AM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Mullin, M) (Entered: 11/01/2011)
11/01/2011	<u>124</u>	DOCUMENT FILED IN ERROR (see <u>127</u>): MEMORANDUM in Support re <u>122</u> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, M) Modified text on 11/7/2011 (mmp). Modified on 11/9/2011 (TSS). (Entered: 11/01/2011)
11/01/2011	<u>125</u>	AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>122</u> MOTION for Approval of Settlement MOTION for Attorney Fees <i>FILED UNDER SEAL</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. 18 SEALED DOCUMENTS RECEIVED IN CLERKS OFFICE ON 11/1/11. SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 11/29/11. (Mullin, M) Modified on 11/9/2011 (AKL). Modified on 11/30/2011 (akl). (Entered: 11/01/2011)
11/03/2011	126	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 11/7/2011 02:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W.

		Frank. (BJS) (Entered: 11/03/2011)
11/07/2011	<u>127</u>	MEMORANDUM in Support re <u>122</u> MOTION for Approval of Settlement MOTION for Attorney Fees <i>REVISED</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1 Word Count Compliance Certificate)(Mullin, M) (Entered: 11/07/2011)
11/07/2011	<u>128</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 11/7/2011. Status conference was held. Next status conference is scheduled for November 29, 2011, at 10:30 a.m., Chambers 724, St. Paul, Minnesota. (Court Reporter Jeanne Anderson) (BJS) Modified on 11/9/2011 (akl). (Entered: 11/08/2011)
11/17/2011	<u>129</u>	ORDER. The above referenced matter came before this Court for a status conference. All parties appeared through counsel of record. After reviewing this matter with counsel and considering all submissions, the Court hereby issues the following: The Stipulated Class Action Settlement Agreement [Doc. No. 104] at Section XVII(F) provides that "[a]fter the Court has an opportunity to discuss the Settlement with any individual who returns a Request for Exclusion ("Opt-Out"), the Court will ascertain the final list of Opt-Outs and provide the final list to the parties." The Court has discussed the Settlement with the guardians for several former METO residents who returned a Request for Exclusion form. The Court also has substantively discussed the Notice process with all counsel and has received regular updates concerning the Notice process from Settlement Class Counsel with copies to all counsel. Based on these discussions and all submissions herein, the Court determines and orders that the Final List of Opt-Outs are those individuals identified in Exhibit 1 to this Order. (See Order for additional details.) Signed by Judge Donovan W. Frank on 11/17/2011. (Attachment(s): # <u>1</u> Placeholder for Final List of Opt-Outs, # <u>2</u> Placeholder for Untimley Opt-Outs). (BJS) (Entered: 11/17/2011)
11/22/2011	<u>130</u>	ORDER re <u>129</u> 1. Exhibits 1 and 2 attached to the Court's November 17, 2011 Order shall be SEALED and remain sealed until further order of the Court. Signed by Judge Donovan W. Frank on 11/22/2011. (BJS) (Entered: 11/22/2011)
11/28/2011	<u>131</u>	EXHIBIT re <u>125</u> Affidavit in Support of Motion, <i>Amended Exhibit E</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Mullin, M) DOCUMENT RECEIVED IN CLERK'S OFFICE 11/28/11 Modified on 11/30/2011 (jam). (Entered: 11/28/2011)
11/29/2011	<u>132</u>	EXHIBIT re <u>125</u> Affidavit in Support of Motion, <i>Second Amended Exhibit E</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 11/29/11. (Mullin, M) Modified on 11/30/2011 (akl). (Entered: 11/29/2011)
11/29/2011	134	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 11/29/2011. Fairness hearing set for 12/1/11. (Court Reporter NA) (BJS) (Entered: 12/02/2011)
11/30/2011	<u>133</u>	EXHIBIT re <u>125</u> Affidavit in Support of Motion, <i>Third Amended Exhibit E</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 12/1/11. (Mullin, M) Modified on 12/2/2011 (akl). (Entered: 11/30/2011)
12/01/2011	<u>135</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 12/1/2011 re <u>122</u> MOTION for Approval of Settlement MOTION for Attorney Fees filed by James Brinker, James Jensen, Lorie Jensen, Elizabeth Jacobs, Darren Allen. Final order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 12/05/2011)
12/05/2011	<u>136</u>	FINAL APPROVAL ORDER FOR STIPULATED CLASS ACTION SETTLEMENT AGREEMENT granting <u>122</u> Motion for Approval of Settlement; granting <u>122</u> Motion for Attorney Fees. 1. Plaintiffs' Petition for Final Approval of Stipulated Class Action Settlement Agreement (Doc. No. <u>104</u>), and Application for Attorneys' Fees and Costs (Doc. No. <u>122</u>) is hereby GRANTED. Signed by Judge Donovan W. Frank on

		12/5/2011. (Attachments: # <u>1</u> Exhibit(s) A) (BJS) (Written Opinion) Modified on 3/7/2012 (TSS). (Entered: 12/05/2011)
12/07/2011	<u>137</u>	JUDGMENT (Attachments: # <u>1</u> Civil Notice – appeal, # <u>2</u> Civil–8th Circuit Pre–Hearing Conference Notice)(akl) (Entered: 12/07/2011)
12/28/2011	<u>138</u>	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Status Conference set for 1/5/2012 01:30 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 12/28/2011)
01/05/2012	<u>139</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 1/5/2012. (Court Reporter NA) (BJS) (Entered: 01/06/2012)
01/30/2012	<u>140</u>	ORDER. The settlement amounts pursuant to the Settlement Agreement shall be paid consistent with the amounts specified in the attached sealed schedule identified as Final Order Exhibit B. Final Order Exhibit B shall be sealed except to the extent each individual apportioned amount shall be disclosed to the Class Member being awarded that amount. (See Order for additional details.). Signed by Judge Donovan W. Frank on 1/30/2012. (Attachments: # <u>1</u> Exhibit(s) B)(BJS) (Written Opinion) UNREDACTED VERSION of Exhibit B FILED CONVENTIONALLY UNDER SEAL. RECIEVED IN CLERK'S OFFICE on 01/30/2012. (TSS) Modified on 3/7/2012 (TSS). (Entered: 01/30/2012)
02/14/2012	<u>141</u>	ORDER AND MEMORANDUM. 1. Use of Funds. The Court respectfully directs that the legal guardians or conservators for the Class Members communicate to each Class Member his or her entitlement to settlement funds. This communication shall include a discussion with the Class Member of those recreational activities and items that would add to the quality of life of the Class Member in order to respect and honor the interests and preferences of each Class Member. As intended by the Settlement Agreement, the settlement funds shall not be used for any residential costs of care. If a portion of the settlement funds is to be utilized for a prepaid funeral or burial plot, an equivalent amount of the funds shall be utilized to improve the quality of life of the Class Member, given that the receipt of the funds will not in any manner jeopardize the eligibility of the Class Member for disability benefits or related services or grants. (See Doc. No. 136 7.) 2. Distribution. The Court respectfully directs the Department of Human Services to use all available communication methods and tools to provide information about the Settlement Agreement in this case, including this Order and Memorandum, to all county social services directors, case managers, providers, guardians, and advocacy groups. These communication tools shall include, but not be limited to, an information bulletin, the DHS monthly newsletter, several places on the DHS website, as well as the DHS listservs that reach anyone affected by the Settlement Agreement. 3. The attached Memorandum is made a part hereof. Signed by Judge Donovan W. Frank on 2/14/2012. (BJS) (Written Opinion) Modified on 3/7/2012 (TSS). (Entered: 02/14/2012)
02/21/2012	<u>142</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 2/21/2012. (Court Reporter NA) (BJS) (Entered: 02/21/2012)
04/20/2012	<u>143</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 4/20/2012. (Court Reporter Jeanne Anderson) (BJS) (Entered: 04/20/2012)
04/23/2012	<u>144</u>	ORDER 1. Solely to the extent necessary to maintain Class Members' eligibility for governmental benefits, including but not limited to Social Security benefits, the apportioned settlement funds to each Class Member shall be considered a blocked account or conservatorship account consistent with applicable Social Security regulations, applicable Social Security Administration guidance, including Program Operating Manual System (POMS) SI 01140.215, the decision of Navarro by Navarro v. Sullivan, 751 F. Supp. 349 (E.D.N.Y. 1990), and other applicable law, including this Courts broad equitable powers to render complete justice, see Crawford, et al. v. Janklow, et al., 733 F.2d 541, 542 (8th Cir. 1984); see also White ex rel. Smith v. Apfel, 167 F.3d 369, 375 (7th Cir. 1999) (court's denial of petition to release conservatorship funds rebutted presumption that funds were available for care or maintenance); POMS SI CHI01140.215 (In Minnesota, it cannot be presumed that funds are considered accessible and a countable resource; and any presumption of availability of funds can be nullified if the court order establishing the conservatorship specifically blocks the account from use for food, clothing or shelter). This Court's

		<p>prior Orders precluding the expenditure of Settlement Funds for costs of care, unpaid bills or rent, and noting that the settlement funds are not a resource, are consistent with the use of a conservatorship account or blocked account, and mean that the Settlement Funds shall not be available or used for support or maintenance, including expenditures for food, clothing or shelter. See Navarro, 750 F. Supp. at 350 (construing social security regulation defining resources as assets that can be liquidated for support and maintenance and determining settlement award does not constitute a resource, noting: However the items for which the Settlement Order permits use of the funds may be characterized, they are not fairly denominated support and maintenance.); 20 C.F.R. § 416.1121(h) and § 416.1130(b) (defining support and maintenance as food, or shelter furnished to you); 20 C.F.R. § 416.1157(b) (Support and maintenance assistance means cash provided for the purpose of meeting food or shelter needs....); cf. Brown ex. rel. Brown v. Day, 555 F.3d 882, 885–86 (10th Cir. 2009) (under Social Security regulations and guidance, if an individual has no authority to compel use of trust assets for her own support and maintenance, assets are not considered an available resource); Seidenberg v. Weil, No. Civ. A. 95–WY–2191–WD, 1996 WL 33665490, at *7 (D. Colo. Nov. 1, 1996) (counting trust as available resource where beneficiary cannot compel trustee to use assets for beneficiary's support and maintenance violates federal Medicaid statute). With this further clarification on the limitation of the use of the settlement funds, expressly precluding expenditure of the Settlement Funds for support or maintenance, Class Members may use their apportioned settlement amounts as a supplement to enhance the quality of their lives consistent with this Courts Orders in this matter without jeopardizing eligibility for ongoing benefits. This is based on the Courts review of all submissions and the status of the above matter to date, as well as discussions and communication with counsel, including counsel for the United States and the Social Security Administration. Nothing stated in this Order contradicts, or is any way inconsistent with, the Social Security Act and its regulations. (See Order for additional details.)(Written Opinion). Signed by Judge Donovan W. Frank on 4/23/2012. (BJS) (Entered: 04/23/2012)</p>
04/27/2012	<u>145</u>	NOTICE of Filing of Official Transcript. A total of 1 transcript is associated with this filing. (jma) (Entered: 04/27/2012)
04/27/2012	<u>146</u>	TRANSCRIPT of Hearing on Final Approval of Settlement and Attorney Fees held on 12/01/2011 before Judge Donovan W. Frank. (84 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848–1221). Redaction Request due 5/18/2012. Redacted Transcript Deadline set for 5/29/2012. Release of Transcript Restriction set for 7/26/2012. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (jma) (Entered: 04/27/2012)
05/04/2012	<u>147</u>	LETTER TO ATTORNEYS SHAMUS P. O'MEARA AND STEVEN H. ALPERT from Judge Donovan W. Frank. (BJS) (Entered: 05/04/2012)
05/09/2012	148	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Chambers Status Conference set for 5/15/2012 03:00 PM in Judge's Chambers, Suite 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 05/09/2012)
05/15/2012	<u>149</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 5/15/2012. (Court Reporter Jeanne Anderson) (BJS) (Entered: 05/15/2012)
05/22/2012	<u>150</u>	ORDER. 1. The Minnesota Department of Human Services shall make available to the appropriate office(s) of the Social Security Administration, the list of Class Members authorized to receive payments in this matter, the amount of the payment, along with that Class Member's social security number. 2. The Social Security Administration shall use this information solely for the purposes it was requested: to effectuate the Court's Orders in this matter to assure that the funds awarded to each individual Class Member is not a resource for eligibility purposes and, consequently, an individual settlement amount will not affect, in any way, a Class Members eligibility for disability benefits or other related benefits, or otherwise jeopardize the Class Member's benefits or programming. 3. That all other Orders in this matter shall otherwise remain in full force and effect.(Written Opinion). Signed by Judge Donovan W. Frank on 5/21/2012. (BJS) (Entered: 05/22/2012)

05/31/2012	<u>151</u>	LETTER TO COUNSEL from Judge Donovan W. Frank. (BJS) (Entered: 05/31/2012)
06/06/2012	<u>152</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services . (Attachments: # <u>1</u> Affidavit of Service)(Alpert, Steven) (Entered: 06/06/2012)
06/07/2012	<u>153</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Mullin, Margaret) (Entered: 06/07/2012)
06/08/2012	<u>154</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services . (Attachments: # <u>1</u> Affidavit of Service)(Alpert, Steven) (Entered: 06/08/2012)
06/26/2012	<u>155</u>	LETTER TO COUNSEL from Judge Donovan W. Frank. (BJS) (Entered: 06/26/2012)
07/06/2012	<u>156</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services . (Attachments: # <u>1</u> Public Quarterly Report)(Alpert, Steven) (Entered: 07/06/2012)
07/09/2012	<u>157</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services. (Attachments: # <u>1</u> Exhibit(s) 1 – 5). (Alpert, Steven) Modified text on 7/10/2012 (lmb). (Entered: 07/09/2012)
07/10/2012	<u>158</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Attachments: # <u>1</u> Exhibit(s) Advocate Concerns, # <u>2</u> Exhibit(s) e–Mails)(Mullin, Margaret) (Entered: 07/10/2012)
07/17/2012	<u>159</u>	ORDER. 1. David Ferleger is hereby appointed as an independent advisor and monitor pursuant to this order. The parties shall cooperate fully with David Ferleger, and provide him with access to the facilities, services, programs, data, and documents relevant to the Settlement Agreement. He may convene meetings, meet relevant individuals and groups, attend case–related court proceedings and review pleadings, motions, and documents submitted to the court. The parties shall serve Mr. Ferleger with all such papers. He shall have ex parte access to the parties, their counsel and to the Court. However, in the event there is any information provided to the Court by David Ferleger which is utilized or otherwise relied upon by the Court for any reason relating to compliance with the Settlement Agreement, the Court will provide such information to counsel for the parties. 2. Defendants shall file within sixty (60) days a status report on implementation of the Settlement Agreement (apart from the fund distribution). The format and structure for the report shall be developed in cooperation with, and determined by, David Ferleger. 3. The format and structure for the reports of the External Reviewer shall also be developed in cooperation with, and determined by, David Ferleger. (Written Opinion). Signed by Judge Donovan W. Frank on 7/17/2012. (BJS) (Entered: 07/17/2012)
08/08/2012	<u>160</u>	ORDER ON PAYMENT OF MONITOR. Signed by Judge Donovan W. Frank on 8/7/2012. (BJS) (Entered: 08/08/2012)
08/27/2012	<u>161</u>	ORDER. The Clerk of Court is respectfully directed to deposit this check in the amount of \$192,966.67, which has been made payable to the United States District Court Clerk of Court, in the interest bearing registry account. Pursuant to the Settlement Agreement, the Court will issue appropriate orders directing payment of specified amounts from the account, consistent with the prior orders of the Court and the Settlement Agreement of the parties. Signed by Judge Donovan W. Frank on 08/27/2012. (rlb) (Entered: 08/27/2012)
08/27/2012	<u>162</u>	RECEIPT number 44641067375 in the amount of \$192,966.67 issued to Johnson Condon. (jam) Document QC'd on 8/29/2012. (rms) (Entered: 08/27/2012)
09/04/2012	<u>163</u>	FIRST REPORT TO THE COURT by Independent Consultant and Monitor David Ferleger. September 4, 2012. (BJS) (Entered: 09/04/2012)
09/17/2012	<u>164</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$12,360.65 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 9/17/2012. (Attachments: # <u>1</u> Invoice, July 17 to August 22, 2012)(BJS) (Entered: 09/17/2012)
09/17/2012	<u>165</u>	STATUS REPORT by Douglas Bratvold, Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) List, # <u>2</u> Exhibit(s) 1A, # <u>3</u> Exhibit(s) 2A, # <u>4</u> Exhibit(s) 2B, # <u>5</u> Exhibit(s) 3A, # <u>6</u> Placeholder for Exs. 9A–G (filed under seal), # <u>7</u> Exhibit(s) 26A, # <u>8</u> Placeholder for 26B–C (filed under seal), # <u>9</u> Exhibit(s) 40A, # <u>10</u> Exhibit(s) 47A, # <u>11</u> Placeholder for Exs.54A–N (filed under

		seal), # <u>12</u> Exhibit(s) 61A, # <u>13</u> Exhibit(s) 63A, # <u>14</u> Exhibit(s) 66A, # <u>15</u> Exhibit(s) 72A, # <u>16</u> Exhibit(s) 74A, # <u>17</u> Exhibit(s) 83A, # <u>18</u> Exhibit(s) 85A, # <u>19</u> Exhibit(s) 92A, # <u>20</u> Exhibit(s) 94A, # <u>21</u> Placeholder for Ex.94B (filed under seal), # <u>22</u> Placeholder for Exs. 97A–C (filed under seal))(Alpert, Steven). SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 9/18/12. Modified on 10/3/2012 (RMS). (Entered: 09/17/2012)
09/17/2012	<u>166</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services re <u>165</u> Status Report, <i>Certificate of Service for documents filed under seal</i> . (Alpert, Steven) (Entered: 09/17/2012)
09/25/2012	<u>167</u>	SECOND REPORT TO THE COURT: Procedural Requirements on Restraint by Independent Consultant and Monitor David Ferleger. September 24, 2012. (BJS) (Entered: 09/25/2012)
09/28/2012	<u>168</u>	ORDER. 1. The First Report to the Court is hereby ACCEPTED. 2. The monitors Formal Recommendation No. 1 is hereby ADOPTED. 3. The parties shall file objections, if any, to future reports and recommendations by the Independent Consultant and Monitor within twenty-one days of their filing. Objections not timely filed shall be deemed waived. Signed by Judge Donovan W. Frank on 9/28/2012. (BJS) (Entered: 09/28/2012)
09/28/2012	<u>169</u>	NOTICE of Withdrawal as Attorney (Devine, Marsha) (Entered: 09/28/2012)
10/04/2012	<u>170</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Attachments: # <u>1</u> Exhibit(s) Ombudsman Report, # <u>2</u> Exhibit(s) Email to Court Monitor)(Santos, Margaret) (Entered: 10/04/2012)
10/04/2012	<u>171</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>AMENDED</i> . (Attachments: # <u>1</u> Exhibit(s) Ombudsman Report, # <u>2</u> Exhibit(s) Email to Court Monitor)(Santos, Margaret) (Entered: 10/04/2012)
10/05/2012	<u>172</u>	RECEIPT: Received from Richard D. Sletten, Clerk of United States District Court, District of Minnesota, check number 1334 in the amount of \$12,360.65. Said Check is issued pursuant to the Court's order in the above matter. (MMP) DOCUMENT QC'd by KT on 10/16/12. (KT) (Entered: 10/05/2012)
10/15/2012	<u>173</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$10,646.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 10/15/2012. (Attachments: # <u>1</u> Invoice, August 27 to September 24, 2012)(BJS) (Entered: 10/15/2012)
10/18/2012	<u>174</u>	ORDER. 1. The Clerk of United States District Court for the District of Minnesota is hereby authorized to remit to Twin Cities Public Television ("TPT"), Attention: Bill Hanley, Vice President, Public Engagement & Strategic Partnerships, Twin Cities Public Television, 172 East Fourth Street, St. Paul, MN 55101, the sum of \$130,766.67. 2. Distribution. This Order shall be e-filed with additional courtesy copies provided to: (see Order for details). Signed by Judge Donovan W. Frank on 10/18/2012. (BJS) cc: Bill Hanley, Vice President, Public Engagement & Strategic Partnerships, Twin Cities Public Television, 172 East Fourth Street, St. Paul, MN 55101; and Colleen Wieck, Ph.D., Executive Director, The Minnesota Governors Council on Developmental Disabilities, 370 Centennial Office Building, 658 Cedar Street, St. Paul, MN 55155. Modified on 10/18/2012 (lmb). (Entered: 10/18/2012)
10/22/2012	<u>175</u>	FIRST QUARTERLY REPORT TO THE COURT by Independent Consultant and Monitor David Ferleger. (rlb) (Entered: 10/22/2012)
10/29/2012	<u>176</u>	RECEIPT Received from Richard D. Sletten, Clerk of the United States District Court, District of Minnesota; check number 1338 in the amount of one hundred thirty thousand seven hundred sixty six dollars and sixty seven cents (\$130,766.6) Said check is issued pursuant to the court's order in the above matter. (MMP) Document QCd on 11/16/2012. (rms) (Entered: 10/29/2012)
10/31/2012	<u>177</u>	RECEIPT: Received from Richard D. Sletten, Clerk of the United States District Court, District of Minnesota; check number 1337 in the amount of ten thousand six hundred forty six dollars and fifty cents (\$10,646.50). Said pursuant to the court's

		order in the above matter. (MMP) DOCUMENT QC'd by KT on 11/1/12. (KT) (Entered: 10/31/2012)
11/05/2012	<u>178</u>	ORDER. 1. The Independent Consultant and Monitor's Second Report to the Court: Procedural Requirements on Restraint (Doc. No. <u>167</u>), is hereby ADOPTED and ACCEPTED. 2. The Independent Consultant and Monitor shall proceed immediately to make recommendations to the Court on any issues discussed in the Report and not yet resolved, and to provide the parties with seven (7) calendar days notice before filing with the Court. Signed by Judge Donovan W. Frank on 11/5/2012. (BJS) (Entered: 11/05/2012)
11/05/2012	<u>179</u>	ORDER ON EXTERNAL REVIEWER. 1. An in-person status conference is scheduled for December 11, 2012 at 9:00 a.m., in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, MN 55101. 2. Counsel for Plaintiffs and for the Department of Human Services (DHS), shall attend. In addition, Assistant Commissioner Anne Barry and Chief Compliance Officer Gregory Grey shall attend. The Court's Independent Consultant and Monitor will be present. The settlement consultants, Colleen Wieck and Roberta Opheim, are invited. 3. The parties shall be prepared to discuss: a. Defendants' readiness to be evaluated for compliance by the Independent Consultant and Monitor with regard to the Evaluation Criteria drawn from the Settlement Agreement, and Defendants proposed timetable for readiness for such evaluation, b. the status of the Olmstead Planning Committee recommendations and the Olmstead Plan, c. whether and how the staff training concerns identified by the Monitor have been rectified, d. the status and plans under Olmstead for class member clients with developmental disabilities who may be at state facilities other than MSHS-Cambridge, e. the nature of habilitation and developmental disabilities-specific services which are currently provided at MSHS-Cambridge, f. the status of the Rule 40 Committee's work and an estimated timeline for its completion, g. Defendants' plans for the future of MSHS-Cambridge, and h. any circumstances which may hinder Defendants' implementation with all deliberate speed. 4. No written material is required to be presented. Should a party desire to present any written material for the conference, it shall submit the material (but not file with the Clerk) at least fourteen (14) days prior to the conference. 5. Counsel for the parties may confer and, if they wish, they may submit suggested additional agenda items for the Court's consideration at least fourteen (14) days before the conference. Signed by Judge Donovan W. Frank on 11/5/2012. (BJS) (Entered: 11/05/2012)
11/19/2012	<u>180</u>	STATUS REPORT <i>of Defendants</i> by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 98, # <u>3</u> Exhibit(s) 99, # <u>4</u> Placeholder for Exhibit 100 (filed under seal), # <u>5</u> Exhibit(s) 101, # <u>6</u> Placeholder for Exhibit 102 (filed under seal), # <u>7</u> Exhibit(s) 103, # <u>8</u> Exhibit(s) 104, # <u>9</u> Exhibit(s) 105, # <u>10</u> Exhibit(s) 106, # <u>11</u> Exhibit(s) 107, # <u>12</u> Placeholder for Exhibit 108 (filed under seal), # <u>13</u> Exhibit(s) 109, # <u>14</u> Placeholder for Exhibits 110-111B (filed under seal)) SEALED DOCUMENTS RECEIVED IN CLERKS OFFICE ON 11/20/12. (Alpert, Steven) Modified on 11/20/2012 (akl). (Entered: 11/19/2012)
11/19/2012	<u>181</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>180</u> Status Report., (<i>for Exhibits 100, 102, 108, 110, and 111A-111B - filed under seal</i>) (Alpert, Steven) (Entered: 11/19/2012)
11/21/2012	<u>182</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$11,362.23 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 11/21/2012. (Attachments: # <u>1</u> Attachment)(BJS) (Entered: 11/21/2012)
11/21/2012	<u>183</u>	THIRD REPORT TO THE COURT: Amendments to the Settlement Agreement. (BJS) (Entered: 11/21/2012)
11/21/2012	<u>184</u>	LETTER from Judge Donovan W. Frank re Mr. Ferleger's Letter dated November 15, 2012. (BJS) Modified text on 11/21/2012 (lmb). (Entered: 11/21/2012)
12/03/2012	<u>185</u>	RECEIPT: Received from Richard D. Sletten, Clerk of the United States District Court, District of Minnesota; check number 1339 in the amount of eleven thousand three hundred sixty two dollars and twenty three cents (\$11,362.23). Said check is issued pursuant to the court's order in the above matter. (MMP) Modified TEXT on 12/4/2012 (MMP). DOCUMENT QC'd by KT on 12/4/12. (KT) (Entered: 12/04/2012)

12/07/2012	<u>186</u>	MEMORANDUM TO THE COURT REGARDING DECEMBER 11, 2012 STATUS CONFERENCE. (BJS) (Entered: 12/07/2012)
12/11/2012	<u>187</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 12/11/2012. Written order to issue. (Court Reporter NA) (BJS) (Entered: 12/17/2012)
12/20/2012	<u>188</u>	ORDER AND MEMORANDUM. Consistent with its remarks at the December 11, 2012 Status Conference, the Court respectfully directs the parties to participate in a conference on January 14–15, 2013, to allow ample time, in consultation with David Ferleger, to address a number of issues relating to the status of Defendants' compliance with the Settlement Agreement including, but not limited, to the following: (see Order).(Written Opinion). Signed by Judge Donovan W. Frank on 12/20/2012. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 12/20/2012)
12/20/2012	<u>189</u>	STIPULATION <i>for Second Amended Protective Order</i> by Darren Allen, Douglas Bratvold, James Brinker, Clinical Director, Director, Elizabeth Jacobs, James Jensen, Lorie Jensen, Minnesota Department of Human Services, Minnesota, State of. (Santos, Margaret) (Entered: 12/20/2012)
12/21/2012	<u>190</u>	SECOND AMENDED PROTECTIVE ORDER re <u>189</u> Stipulation, filed by James Brinker, James Jensen, Minnesota Department of Human Services, Minnesota, State of, Clinical Director, Darren Allen, Director, Douglas Bratvold, Lorie Jensen, Elizabeth Jacobs. Signed by Judge Donovan W. Frank on 12/21/2012. (rlb) (Entered: 12/21/2012)
01/09/2013	<u>191</u>	ORDER. 1. Consistent with the Court's original order of August 7, 2012, the Clerk of District Court shall issue a check to David Ferleger in the amount of \$15,630.62 drawn on this litigation's Registry account. 2. The Department of Human Services (DHS) shall issue a check to David Ferleger in the amount of \$3,438.96 which represents the difference between the time and expense billed by Mr. Ferleger of \$19,069.58 and the remainder of the \$50,000—\$15,630.62.(Written Opinion). Signed by Judge Donovan W. Frank on 1/9/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 01/09/2013)
01/09/2013	<u>192</u>	LETTER from Judge Donovan W. Frank to Counsel. (BJS) (Entered: 01/09/2013)
01/18/2013	<u>193</u>	STATUS REPORT <i>of Defendants</i> by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 112, # <u>3</u> Exhibit(s) 113, # <u>4</u> Placeholder for Exhibits 114–115 (filed under seal), # <u>5</u> Placeholder for 116A (filed under seal), # <u>6</u> Placeholder for 116B (filed under seal), # <u>7</u> Exhibit(s) 117, # <u>8</u> Placeholder for Exhibit 118 (filed under seal), # <u>9</u> Exhibit(s) 119, # <u>10</u> Placeholder for Exhibit 120 (filed under seal), # <u>11</u> Placeholder for Exhibit 121 (filed under seal))(Alpert, Steven) SEALED DOCUMENT RECEIVED IN CLERKS OFFICE ON 1/22/2013 (GMO). (Entered: 01/18/2013)
01/18/2013	<u>194</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>193</u> Status Report. (Alpert, Steven) (Entered: 01/18/2013)
01/23/2013	<u>195</u>	ORDER. Pursuant to the Stipulated Class Action Settlement Agreement in the above–referenced matter, the Clerk of District Court shall issue a check to Joseph Marvin in the amount of \$12,200, plus any interest remaining in the account, drawn on this litigations Registry account. The 14–day waiting period for disbursement of these funds is hereby waived. Signed by Judge Donovan W. Frank on 1/23/2013. (BJS) (Entered: 01/23/2013)
01/23/2013	<u>196</u>	LETTER from Judge Donovan W. Frank to Counsel and Interested Parties. (BJS) (Entered: 01/23/2013)
01/24/2013	<u>200</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 1/24/2013. (Court Reporter NA) (BJS) (Entered: 02/11/2013)
01/30/2013	<u>197</u>	RECEIPT check number 1343 in the amount of \$15,630.62. (jam) DOCUMENT QC'd by KT on 2/1/13. (KT) (Entered: 01/30/2013)
02/04/2013	<u>198</u>	MONITOR'S RESPONSE TO COURT'S JANUARY 23, 2013 LETTER (Dkt. <u>196</u>). (Attachments: # <u>1</u> Plaintiffs' letter of January 29, 2013, # <u>2</u> Defendants' letter of January 30, 2013, # <u>3</u> Examples of Defendants' Self–Report of Incomplete or "In Process" Compliance)(BJS) (Entered: 02/04/2013)

02/05/2013	<u>199</u>	ADDITIONAL DOCUMENT TO MONITOR'S RESPONSE TO COURT'S JANUARY 23, 2013 LETTER (Dkt <u>196</u>). (Attachments: # <u>1</u> DHS February 1, 2013 Correction Order, Cambridge)(BJS) (Entered: 02/05/2013)
02/26/2013	<u>201</u>	Check number 1346 in the amount of \$12,216.07. (jam) Document QC'd on 3/6/2013 (GMW). (Entered: 02/26/2013)
03/18/2013	<u>202</u>	STATUS REPORT (<i>of Defendants</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 122A, # <u>3</u> Exhibit(s) 122B, # <u>4</u> Placeholder for Exhibit 122C (filed under seal), # <u>5</u> Exhibit(s) 122D, # <u>6</u> Exhibit(s) 123, # <u>7</u> Exhibit(s) 124, # <u>8</u> Placeholder for Exhibits 125–129C (filed under seal), # <u>9</u> Exhibit(s) Exhibit 130, # <u>10</u> Placeholder for Exhibit 131, # <u>11</u> Exhibit(s) 132, # <u>12</u> Exhibit(s) 133, # <u>13</u> Placeholder for Exhibit 134, # <u>14</u> Certificate of Service)(Alpert, Steven) DOCUMENTS RECEIVED IN CLERKS OFFICE ON 3/19/13. Modified on 3/19/2013 (GMW). (Entered: 03/18/2013)
03/19/2013	<u>203</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>202</u> Status Report,, (<i>Amended Certificate of Service</i>) (Alpert, Steven) (Entered: 03/19/2013)
03/19/2013	<u>204</u>	ORDER AND MEMORANDUM. 1. The Minnesota Department of Human Services (MDHS) is respectfully ordered to issue a check to David Ferleger in the amount of \$13,753.86. 2. Consistent with the memorandum attached hereto, the Court respectfully directs the parties to submit within 14 days a proposed budget for David Ferleger that also addresses his role. In the event that the parties are unable to agree to the scope of the role and responsibilities of Mr. Ferleger and/or a budget, the Court will enter an order upon receipt of the submissions of counsel and a response from David Ferleger.(Written Opinion). Signed by Judge Donovan W. Frank on 3/19/2013. (BJS) (Entered: 03/19/2013)
03/19/2013	<u>205</u>	ORDER AND MEMORANDUM. 1. Status Conference: By this Order, the Court will respectfully direct Brenda Schaffer, the Court's Calendar Clerk, to set up a chambers conference for all counsel and to verify with respective counsel who should and will be in attendance at the conference. 2. In the context of the issue of noncompliance with the original Settlement Agreement (Doc. No. 104), the Court respectfully declines, absent further order of the Court, to modify the role of David Ferleger or to otherwise approve the stipulation of the parties at this time. However, once the Court has had an opportunity to meet with counsel for each party and has established the role of Mr. Ferleger (with or without agreement of the parties), the Court then expects Deputy Commissioner Ann Barry and David Ferleger to meet and to utilize their best efforts to agree on a budget for David Ferleger. Moreover, the Court intends to inform the parties at the status conference that given the status of the case, including the issues of noncompliance, the focus of David Ferleger will be to evaluate compliance and noncompliance issues vis—vis a mediation approach. Consequently, with or without agreement of the parties, the Court will establish the role and function of David Ferleger, as well as establish the budget for his services, if the parties are unable to reach an agreement.3. The Court expressly reserves the right to request the assistance of the United States Department of Justice, Civil Rights Division, with respect to compliance issues with the Settlement Agreement and the Orders of this Court. (Written Opinion). Signed by Judge Donovan W. Frank on 3/19/2013. (BJS) (Entered: 03/19/2013)
03/20/2013	206	*TEXT ONLY ENTRY* NOTICE of Setting Hearing: Chambers Status Conference set for 3/25/2013 08:00 AM in Chambers 724 (STP) before Judge Donovan W. Frank. (BJS) (Entered: 03/20/2013)
03/25/2013	<u>207</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Chambers Status Conference held on 3/25/2013. (Court Reporter NA) (BJS) (Entered: 03/26/2013)
04/08/2013	<u>208</u>	MONITOR RESPONSE TO ORDER OF MARCH 19, 2013. (Attachments: # <u>1</u> Attachment A, # <u>2</u> Attachment B)(BJS) (Entered: 04/08/2013)
04/08/2013	<u>209</u>	ORDER. 1. The Joint Motion for Negotiated Attorneys' Fees to Class Counsel is hereby GRANTED. 2. This Motion resolves the claims for attorneys fees, costs, and disbursements made and incurred by Plaintiffs, on behalf of the Settlement Class, and represents the full and final settlement of attorneys fees, costs, and disbursements related to issues of concern and non–compliance raised by Plaintiffs, on behalf of the

		Settlement Class, with regard to the Settlement Agreement through disposition of the Settlement Agreement or the above-captioned matter, whichever comes later, except for requests or claims for reimbursement of attorneys fees, costs, and disbursements incurred from the date of this Order due to proven intentional or willful conduct in violation of the Settlement Agreement from the date of this Order and past proven intentional or willful conduct in violation of the Settlement Agreement of which Plaintiffs were not previously expressly made aware. 3. The notice requirements of Rule 23(h) of the Federal Rules of Civil procedure are not necessary and would be unduly burdensome in these circumstances where the negotiated attorneys' fees are sought in connection with post-settlement activities relating to non-monetary provisions of the Settlement Agreement and do not have any effect on the amounts awarded to Class Members by the Court. 4. Within ten (10) days of the date of this Order, the State Defendants shall pay Eighty-Five Thousand and 0/100 (\$85,000) to the law firm of O'Meara, Leer, Wagner & Kohl, P.A. as Settlement Class Counsel in this matter. Signed by Judge Donovan W. Frank on 4/8/2013. (BJS) (Entered: 04/08/2013)
04/11/2013	<u>210</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Minnesota Department of Human Services, Minnesota, State of. (Ikeda, Scott) (Entered: 04/11/2013)
04/23/2013	<u>211</u>	ORDER AND MEMORANDUM. 1. Role of David Ferleger. The external reviewer function, as set forth in the Stipulated Class Action Settlement Agreement at paragraph VII.B (External Reviewer) will be subsumed within the Monitor's role as originally set forth in the Court's July 17, 2012 Order, at which time the Court appointed David Ferleger as the Court's independent consultant and monitor. 2. Monitor's Investigation and Reports. The Monitor will independently investigate, verify, and report on compliance with the Settlement Agreement and the policies set forth therein on a quarterly basis. Those quarterly reports shall inform the Court and the parties whether the Monitor believes, based upon his investigation, without relying on the conclusion of the DHS, that Defendants are in substantial compliance with the Settlement Agreement and the policies set forth therein. The Court expects the reports to set forth the factual basis for any recommendations and conclusions. Further, the reports shall set forth whether the DHS is operating consistent with the best practices pursuant to the Settlement Agreement. Consequently, the Court respectfully declines to accept the parties' stipulation to limit the role of the Monitor. (See Order for additional details.) Signed by Judge Donovan W. Frank on 4/23/2013. (BJS) (Entered: 04/23/2013)
04/25/2013	<u>212</u>	AMENDED ORDER AND MEMORANDUM. (Please note there are no substantive changes to this amended order; only minor typographical errors have been corrected.) 1. Role of David Ferleger. The external reviewer function, as set forth in the Stipulated Class Action Settlement Agreement at paragraph VII.B (External Reviewer) will be subsumed within the Monitor's role as originally set forth in the Court's July 17, 2012 Order, at which time the Court appointed David Ferleger as the Court's independent consultant and monitor. 2. Monitor's Investigation and Reports. The Monitor will independently investigate, verify, and report on compliance with the Settlement Agreement and the policies set forth therein on a quarterly basis. Those quarterly reports shall inform the Court and the parties whether the Monitor believes, based upon his investigation, without relying on the conclusion of the DHS, that Defendants are in substantial compliance with the Settlement Agreement and the policies set forth therein. The Court expects the reports to set forth the factual basis for any recommendations and conclusions. Further, the reports shall set forth whether the DHS is operating consistent with the best practices pursuant to the Settlement Agreement. Consequently, the Court respectfully declines to accept the parties' stipulation to limit the role of the Monitor. (See Order for additional details.)(Written Opinion). Signed by Judge Donovan W. Frank on 4/25/2013. (BJS) Modified on 4/26/2013 (akl). (Entered: 04/25/2013)
05/24/2013	<u>213</u>	ORDER (Re Court Monitor Budget). Signed by Judge Donovan W. Frank on 05/24/2013. (rlb) (Entered: 05/24/2013)
05/29/2013	<u>214</u>	ORDER. The Department of Human Services ("DHS") shall forthwith issue a check to David Ferleger in the amount of \$13,753.86 in payment of his Invoice for the period December 13, 2012 to February 7, 2013. (Written Opinion). Signed by Judge Donovan W. Frank on 5/29/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 05/29/2013)

05/29/2013	<u>215</u>	ORDER. The Department of Human Services ("DHS") shall forthwith issue a check to David Ferleger in the amount of \$12,119.30 in payment of his Invoice for the period February 11 – April 22, 2013. (Written Opinion). Signed by Judge Donovan W. Frank on 5/29/2013. (Attachments: # <u>1</u> Attachment A)(BJS) Modified docket text on 5/30/2013 (TSS). (Entered: 05/29/2013)
06/07/2013	<u>216</u>	RECEIPT number 44641073017 in the amount of \$135,000.00 issued to State of Minnesota. (jam)DOCUMENT QC'D ON 6/11/13 LGL Modified on 6/11/2013 (LGL). (Entered: 06/07/2013)
06/11/2013	<u>217</u>	STATUS REPORT ON COMPLIANCE by Independent Consultant and Monitor by David Ferleger. (Attachments: # <u>1</u> Exhibit(s) 1–7, # <u>2</u> Exhibit(s) 8–15)(BJS) (Entered: 06/11/2013)
06/26/2013	<u>218</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$58,259.15 draw on this litigation's Registry account for the period April 23 May 30, 2013.Signed by Judge Donovan W. Frank on 6/25/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 06/26/2013)
08/02/2013	<u>219</u>	MONITOR'S NOTICE OF FILING OF RULE 40 COMMITTEE RECOMMENDATIONS. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 08/02/2013)
08/05/2013	<u>220</u>	LETTER from Judge Donovan W. Frank dated August 5, 2013, to Court Monitor David Ferleger. (BJS) (Entered: 08/05/2013)
08/06/2013	<u>221</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$20,456.71 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 8/6/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 08/06/2013)
08/20/2013	<u>222</u>	LETTER to Parties from Independent Consultant and Monitor David Ferleger Regarding Rule 40, 245D and Waiver Amendments. (BJS) (Entered: 08/20/2013)
08/27/2013	<u>223</u>	ORDER AND MEMORANDUM. The Court, having been advised by the Court Monitor that the parties have agreed that the Courts retention of jurisdiction over the above–entitled matter may be extended for an additional year to December 4, 2014, beyond the current December 4, 2013 date, pursuant to Section XVIII.B. of the Settlement Agreement, the Court hereby extends its jurisdiction over this matter to December 4, 2014. However, the Court expressly reserves the authority and jurisdiction to order an additional extension of jurisdiction, depending upon the status of compliance by the Defendants with the specific provisions of the Settlement Agreement, absent stipulation of the parties. (See Order for additional details.) (Written Opinion) Signed by Judge Donovan W. Frank on 8/27/2013. (BJS) (Entered: 08/27/2013)
08/28/2013	<u>224</u>	AMENDED ORDER AND MEMORANDUM. (Please note there are no substantive changes to this amended order; only minor typographical errors have been corrected.) The Court, having been advised by the Court Monitor that the parties have agreed that the Courts retention of jurisdiction over the above–entitled matter may be extended for an additional year to December 4, 2014, beyond the current December 4, 2013 date, pursuant to Section XVIII.B. of the Settlement Agreement, the Court hereby extends its jurisdiction over this matter to December 4, 2014. However, the Court expressly reserves the authority and jurisdiction to order an additional extension of jurisdiction, depending upon the status of compliance by the Defendants with the specific provisions of the Settlement Agreement, absent stipulation of the parties. (See Order for additional details.) (Written Opinion.) Signed by Judge Donovan W. Frank on 08/28/2013. (RLB) (Entered: 08/28/2013)
09/03/2013	<u>225</u>	RECEIPT number 00407366 in the amount of \$20,456.71. (jam)DOCUMENT QC'D ON 9/4/13 LGL Modified on 9/4/2013 (LGL). (Entered: 09/03/2013)
09/23/2013	<u>226</u>	RECOMMENDATION TO THE PARTIES: Transition Planning and the Re–Purposing of MSHS–Cambridge by David Ferleger, Court Monitor, September 23, 2013. (BJS) (Entered: 09/23/2013)

09/24/2013	<u>227</u>	ORDER ON MONITOR COST. 1. The Court has jurisdiction over the subject matter of this action, the parties, and the class. 2. All fees and costs incurred by the Court Monitor (including, but not limited to, expert and administrative staff fees and costs) in carrying out his responsibilities for the period September 1, 2013, through May 31, 2014, shall not exceed \$477,870. 3. The budget cap for the period June 1, 2014, through December 4, 2014, shall be determined in the spring 2014 after discussion between the Court Monitor and the Deputy Commissioner. 4. The Court Monitor shall submit all costs and fees, and the parties shall reserve all rights to review and object to the same, in accordance with the process set forth in the Court's Order, dated August 7, 2012 (Doc. No. 160). 5. The Department shall deposit a lump sum of \$477,870 ("Deposit") with the Court's registry within 10 business days of entry of this Order. Disbursements of funds from the same to the Court Monitor will be made pursuant to the process set forth in the Court's Order, dated August 7, 2012 (Doc. No. 160). 6. Within a reasonable time following December 4, 2014, the Court shall issue a check to the Department for any remaining Deposit funds held in the Court's registry. 7. The Court Monitor and Department recognize the possibility that the Court could change the Court Monitor's role and/or responsibilities in calendar year 2013 or 2014. The above terms are not meant to bind the Court, but rather reflect the Department's and Court Monitor's agreement on budget terms with respect to the Court Monitor's current role and responsibilities. Should the Court change the Court Monitor's role and/or responsibilities, the Court Monitor and Department expressly reserve and do not waive their legal rights. Signed by Judge Donovan W. Frank on 9/24/2013. (BJS) (Entered: 09/24/2013)
09/24/2013	<u>228</u>	ORDER. 1. Each Class Member or their guardian shall, within two weeks of receipt of this Order, send a letter to the Court at the following address: Honorable Donovan W. Frank, United States District Judge, 724 Warren E. Burger Federal Building, And United States Courthouse, 316 North Robert Street, St. Paul, MN 55101, documenting specifically how their class action settlement money has been expended. Hopefully, the letters will document that the money was spent consistent with its intended purpose in the settlement, namely, "solely for the benefit of the Class Member" to ensure that the funds improved the quality of life of each respective Class Member. Signed by Judge Donovan W. Frank on 9/24/2013. (Attachments: # <u>1</u> Exhibit A)(BJS) (Entered: 09/24/2013)
09/26/2013	<u>229</u>	RECEIPT number 4464107821 in the amount of \$477,870.00 issued to State of Minnesota. (jam)DOCUMENT QC'D ON 9/27/13 LGL Modified on 9/27/2013 (LGL). (Entered: 09/26/2013)
10/07/2013	<u>230</u>	MOTION for Sanctions by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Santos, Margaret) (Entered: 10/07/2013)
10/07/2013	<u>231</u>	NOTICE OF HEARING ON MOTION <u>230</u> MOTION for Sanctions : Motion Hearing set for 11/18/2013 01:30 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Santos, Margaret) (Entered: 10/07/2013)
10/07/2013	<u>232</u>	MEMORANDUM in Support re <u>230</u> MOTION for Sanctions filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR7.2 Word Count Compliance Certificate)(Santos, Margaret) (Entered: 10/07/2013)
10/07/2013	<u>233</u>	AFFIDAVIT of Shamus P. O'Meara in SUPPORT OF <u>230</u> MOTION for Sanctions filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) 1, # <u>2</u> Exhibit(s) 2-6, # <u>3</u> Exhibit(s) 7-13, # <u>4</u> Exhibit(s) 14-21)(Santos, Margaret) (Entered: 10/07/2013)
10/16/2013	<u>234</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$15,140.29 drawn on this litigation's Registry account for the period July 19-September 23, 2013. Signed by Judge Donovan W. Frank on 10/16/2013. (Attachments: # <u>1</u> Attachment A)(RLB) (Entered: 10/16/2013)
10/17/2013	<u>235</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services <i>as requested by the Court</i> . (Attachments: # <u>1</u> copy of 10/15/13 letter to the Court, # <u>2</u> Proposed Implementation Plan dated 10/15/13, # <u>3</u> Proposed Implementation Plan Chronological Timetable dated 10/15/13, # <u>4</u> Implementation Plan Narrative dated 10/15/13)(Alpert, Steven) (Entered: 10/17/2013)

10/17/2013	<u>236</u>	Restraint Chair and Seclusion Use at AMRTC and MSH: Phase 1 Review. Signed by David Ferleger, Court Monitor on 10/17/2013. (RLB) (Entered: 10/17/2013)
10/17/2013	<u>237</u>	ORDER re finalization of the Department of Human Services Implementation Plan for the Settlement Agreement Evaluation Criteria and Cambridge Closure. (See Order for details.) Signed by Judge Donovan W. Frank on 10/17/2013. (RLB) (Entered: 10/17/2013)
10/23/2013	238	TEXT ONLY NOTICE OF HEARING ON MOTION <u>230</u> MOTION for Sanctions : Motion Hearing now set for 11/25/2013 01:30 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (BJS) (Entered: 10/23/2013)
10/24/2013	<u>239</u>	ORDER. The Court Monitor shall have access to, and shall be permitted access to, the patient/client records of individuals served by the Minnesota Department of Human Services and the programs and services which it operates, regulates, licenses or funds.6 This access includes, but is not limited to, records of substance abuse treatment. Signed by Judge Donovan W. Frank on 10/23/2013. (Attachments: # <u>1</u> Appendix A)(BJS) (Entered: 10/24/2013)
10/28/2013	<u>240</u>	RECEIPT number 00410924 in the amount of \$15140.29. (jam)DOCUMENT QC'D ON 10/29/13 LGL Modified on 10/29/2013 (LGL). (Entered: 10/28/2013)
10/28/2013	<u>241</u>	MEMORANDUM in Opposition re <u>230</u> MOTION for Sanctions filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 10/28/2013)
10/28/2013	<u>242</u>	AFFIDAVIT of Scott H. Ikeda in OPPOSITION TO <u>230</u> MOTION for Sanctions filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) A-B)(Ikeda, Scott) (Entered: 10/28/2013)
10/28/2013	<u>243</u>	AFFIDAVIT of Christina Baltes in OPPOSITION TO <u>230</u> MOTION for Sanctions filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) A-D)(Ikeda, Scott) (Entered: 10/28/2013)
10/30/2013	<u>244</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Cover Letter from Deputy Commissioner Anne Barry, # <u>2</u> Rule 40 Implementation Plan (proposed), # <u>3</u> Rule 40 Implementation Plan Project Staff (proposed), # <u>4</u> Rule 40 Implementation Plan Acronyms (proposed), # <u>5</u> Rule 40 Implementation Plan Chronological Timetable (proposed))(Alpert, Steven) (Entered: 10/30/2013)
10/31/2013	245	NOTICE OF HEARING ON MOTION <u>230</u> MOTION for Sanctions : Motion Hearing set for 11/25/2013 will now start at 02:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank. (Please note this new start time.)(BJS) (Entered: 10/31/2013)
10/31/2013	<u>246</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Minnesota Olmstead Plan)(Alpert, Steven) (Entered: 10/31/2013)
10/31/2013	<u>247</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Minnesota's 2013 Olmstead Plan)(Alpert, Steven) (Entered: 10/31/2013)
11/01/2013	<u>248</u>	ORDER. 1. The Court Monitor's request is GRANTED. He shall have the responsibility and authority to finalize the Department of Human Services Plan for the Settlement Agreement Evaluation Rule 40 Modernization ("Plan") which was timely submitted by DHS on October 30, 2013 (Doc. No. 244) pursuant to the Order of August 28, 2013. The Court Monitor may utilize the assistance of one or more consultants. 2. The Court Monitor shall implement this order in cooperation with Deputy Commissioner Anne Barry, who shall ensure the availability of appropriate DHS staff and the provision of documents and other resources requested by the Court Monitor or his consultants. The Court Monitor has also committed to permitting the participation in this process of Plaintiff Class Counsel, and the consultants to the parties, Ms. Roberta Opheim and Dr. Colleen Wieck. Signed by Judge Donovan W. Frank on 11/1/2013. (BJS) (Entered: 11/01/2013)
11/07/2013	<u>249</u>	REPLY re <u>230</u> MOTION for Sanctions filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word

		Count Compliance Certificate)(Santos, Margaret) (Entered: 11/07/2013)
11/07/2013	<u>250</u>	Supplemental Declaration of Shamus P. O'Meara in Support of <u>249</u> Reply filed by All Plaintiffs. (Attachments: # <u>1</u> Exhibit(s) 22–26, # <u>2</u> Exhibit(s) 27–31). (Santos, Margaret) Modified text on 11/8/2013 (lmb). (Entered: 11/07/2013)
11/12/2013	<u>251</u>	REPORT TO THE COURT, Client RW: AWOL v. Transitioned to the Community by Independent Consultant and Monitor by David Ferleger. (BJS) (Entered: 11/12/2013)
11/19/2013	<u>252</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$51,341.13 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 11/18/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 11/19/2013)
11/25/2013	<u>253</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 11/25/2013 re <u>230</u> MOTION for Sanctions filed by James Brinker, James Jensen, Lorie Jensen, Elizabeth Jacobs, Darren Allen. Matter under advisement; written order to issue.(Court Reporter Jeanne Anderson) (BJS) (Entered: 11/26/2013)
11/27/2013	<u>254</u>	REPORT TO THE COURT: Comprehensive Plan of Action by Independent Consultant and Monitor by David Ferleger. (BJS) (Entered: 11/27/2013)
11/27/2013	<u>255</u>	RECEIPT number 00412458 in the amount of \$51,341.13. (jam)DOCUMENT QC'D ON 11/27/13 LGL Modified on 11/27/2013 (LGL). (Entered: 11/27/2013)
12/06/2013	<u>256</u>	REPORT TO THE COURT: Recommended Revision To MSHS–Cambridge Restraint Policy by David Ferleger, Court Monitor. (BJS) (Entered: 12/06/2013)
12/11/2013	<u>257</u>	ORDER. 1. The revision to Attachment A, set forth in the attachment to this Order, is hereby APPROVED and ADOPTED by the Court and shall be implemented by Defendants. 2. All current and future staff be specially trained in the revisions to Attachment A, including staff at MSHS–Cambridge and its successor programs. For current staff, the training shall be completed within thirty (30) days of this Order. Defendants shall provide the Court Monitor with an advance written summary of the training curriculum and methods, for his approval. For the current staff, sign–in sheets showing that all staff have been trained shall be provided to the Court Monitor. The training shall be in–person and didactic and shall not consist merely of a sign–off of receipt of the policy. Signed by Judge Donovan W. Frank on 12/11/2013. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 12/11/2013)
12/12/2013	<u>258</u>	ORDER. Before the Court is a memorandum from Court Montior David Ferleger (the Monitor) to Deputy Commissioner Anne Barry, Department of Human Services (the DHS), dated December 10, 2013, entitled, Injury and Hospitalization of Class Member SAB Request for Further Information. The memorandum was prompted by notice from the DHS that class member SAB was admitted to Anoka Metro Regional Treatment Center on September 2, 2013. He is currently hospitalized at Mercy Hospital after an emergency room visit with a diagnosis of [c]ontusion of ribs. The DHS also references SAB having post–operative complications in the form of bowel obstruction and acute kidney injury. The Monitor informed the DHS that SAB's stepmother believes that the extent of injury could well have been caused by a punch or assault and that she reported her concern to the police. The Monitor requests certain information from DHS on the above situation and on prior incidents regarding SAB involving reported falls, self–injury, aggression, and assaults. The Court expects the DHS to thoroughly consider this situation, including whether the individuals and institutions involved are mandatory reporters pursuant to Minn. Stat. § 626.557, with regard to possible abuse (causing the injury which led to SAB's hospitalization) and possible neglect (whether prior falls and self–injury were the result of lack of appropriate treatment and programs), and to report its findings to the Monitor promptly. The Court requests that the DHS provide SABs stepmother with a copy of this Order. Upon receipt of the DHS's findings, the Court requests that the Monitor advise the Court further. Signed by Judge Donovan W. Frank on 12/12/2013. (BJS) (Entered: 12/12/2013)
12/17/2013	<u>259</u>	MEMORANDUM AND ORDER. 1. The Court finds and concludes that Plaintiffs' Motion for Sanctions (Doc. No. <u>230</u>) is GRANTED. However, for the reasons stated off the bench at the time of the hearing and in this Memorandum and Order, the Court reserves ruling on what sanctions are appropriate, pending receipt of the status of

		compliance by Defendants and the status of the implementation plan required by this Court, noted in the Court's Memorandum and Order. (Written Opinion). Signed by Judge Donovan W. Frank on 12/17/2013. (BJS) (Entered: 12/17/2013)
12/19/2013	<u>260</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$104,787.33 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 12/19/2013. (Attachments: # <u>1</u> Attachment A)(BJS) cc: KU/Finance. Modified on 12/19/2013 (lmb). (Entered: 12/19/2013)
12/20/2013	<u>261</u>	PARTIES' RESPONSES TO COMPREHENSIVE PLAN OF ACTION submitted by Independent Consultant and Monitor David Ferleger. (BJS) (Entered: 12/20/2013)
12/20/2013	<u>262</u>	LETTER TO COURT Regarding Comprehensive Plan of Action from David L. Ferleger. (BJS) (Entered: 12/20/2013)
12/26/2013	<u>264</u>	RECEIPT re: check number 00414335 in the amount of \$104,787.33. (las) DOCUMENT QC'D ON 1/14/14 LGL Modified on 1/14/2014 (LGL). (Entered: 01/07/2014)
01/02/2014	<u>263</u>	REPORT TO THE COURT: Minnesota's 2013 Olmstead Plan by Independent Consultant and Monitor David Ferleger. (BJS) Modified on 1/3/2014 (akl). (Entered: 01/02/2014)
01/22/2014	<u>265</u>	ORDER (see Order for details). (Written Opinion.) Signed by Judge Donovan W. Frank on 01/22/2014. (RLB) (Entered: 01/22/2014)
01/22/2014	<u>266</u>	ORDER (see Order for details). (Written Opinion.) Signed by Judge Donovan W. Frank on 01/22/2014. (RLB) (Entered: 01/22/2014)
01/28/2014	<u>267</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$16,110.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 1/28/2014. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 01/28/2014)
01/28/2014	<u>268</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 01/28/2014)
01/28/2014	<u>269</u>	TRANSCRIPT of Plaintiffs' Motion for Sanctions Hearing held on 11/25/2013 before Judge Donovan W. Frank. (64 pages). Court Reporter: Jeanne Anderson (E-mail: Jeanne_Anderson@mnd.uscourts.gov. Telephone: (651) 848-1221). Redaction Request due 2/18/2014. Redacted Transcript Deadline set for 2/28/2014. Release of Transcript Restriction set for 4/28/2014. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 01/28/2014)
02/10/2014	<u>270</u>	RECEIPT Re: Check Number 00416137 in the amount of \$16,110.50. (las) DOCUMENT QC'D ON 2/20/14 LGL Modified on 2/20/2014 (LGL). (Entered: 02/10/2014)
02/13/2014	<u>271</u>	REPORT TO THE COURT: Adoption of Comprehensive Plan of Action, submitted by Independent Consultant and Monitor David Ferleger. (Attachments: # <u>1</u> Attachment - Comprehensive Plan of Action)(BJS) (Entered: 02/13/2014)
02/18/2014	<u>272</u>	RECOMMENDATIONS TO THE PARTIES: Staff Training on Federal Final Rule for Home and Community-Based Services (HCBS) Settings. Submitted by David Ferleger, Independent Consultant and Monitor. (BJS) (Entered: 02/18/2014)
02/19/2014	<u>273</u>	MEMORANDUM TO THE COURT submitted by Independent Consultant and Monitor David Ferleger. (BJS) (Entered: 02/19/2014)
02/24/2014	<u>274</u>	Cover Letter Re Comments Regarding Minnesota's Olmstead Plan signed by Colleen Wieck, Executive Director. (Attachments: # <u>1</u> Minnesota Governor's Council on Developmental Disabilities Executive Director Feedback on Minnesota's Olmstead Plan Attachment, # <u>2</u> Attachment #1 to Feedback)(BJS) Modified on 2/25/2014 (kt). (Entered: 02/24/2014)
02/24/2014	<u>275</u>	Office of Ombudsman for Mental Health and Developmental Disabilities Comments on Minnesota's Olmstead Plan signed by Roberta C. Opheim, Ombudsman. (BJS) Modified on 2/25/2014 (kt). (Entered: 02/24/2014)

02/25/2014	<u>276</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>Regarding Plaintiffs' Response to Proposed Olmstead Plan</i> . (Attachments: # <u>1</u> Exhibit(s) (Plaintiff's 10-22-13 Letter to Court Monitor))(Azman, Mark) (Entered: 02/25/2014)
03/04/2014	<u>277</u>	ORDER. Pursuant to and under the terms of the Order of August 7, 2012, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$34,570.08 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 3/3/2014. (Attachments: # <u>1</u> Attachment A)(BJS) cc: KU/Financial; TSS. Modified on 3/4/2014 (lmb). (Entered: 03/04/2014)
03/06/2014	<u>278</u>	NOTICE of Withdrawal as Attorney <i>Margaret Ann Santos</i> (Azman, Mark) (Entered: 03/06/2014)
03/10/2014	<u>279</u>	ORDER CONFIRMING REVISION TO ORDER OF DECEMBER 11, 2013. The Court issued its Order of December 11, 2013 (Doc. No. 257), accepting the parties' agreed revision to the MSHS-Cambridge restraint policy. See Court Monitor, Report to the Court: Recommended Revision to MSHS-Cambridge Restraint Policy (December 6, 2013), (Doc. No. 256). The order's Attachment A, the revised policy, is marked with a December 4, 2013 effective date. The Court Monitor's report noted that the Department of Human Service's response to the draft report provided that, "The time for exercise [while in manual restraint] would be changed to 5 minutes out of every 20 minutes." The Court Monitor stated, "The Monitor assumes that the 20 minutes is intended to mean 15 minutes and this will be corrected. (emphasis added in both sentences). MSHS-Cambridge did make that correction, and adopted a superseding policy effective December 20, 2013, marked in Attachment A to this filing at page 6. The Court Monitor recently received this corrected policy. For clarity in the docket, and to avoid confusion in implementation, the Court Monitor requested the Court to approve and adopt the revision to conform to the expectations in the Court Monitor's report. Upon consideration of the Court Monitor's suggested confirming revision of the Order of December 11, 2013 (Doc. No. <u>257</u>), IT IS HEREBY ORDERED that ATTACHMENT A hereto is SUBSTITUTED for the ATTACHMENT A to the said order. Signed by Judge Donovan W. Frank on 3/7/2014. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 03/10/2014)
03/11/2014	<u>280</u>	DOCUMENT FILED IN ERROR: WILL REFILE. AMENDED COMPREHENSIVE PLAN OF ACTION (This amends the prior Plan filed as Attachment 1 to the Report filed at Doc. No. <u>271</u>). (BJS) Modified on 3/11/2014 (kt). (Entered: 03/11/2014)
03/11/2014	<u>281</u>	DOCUMENT FILED IN ERROR: WILL REFILE. ORDER. 1. The Court Monitor's Report to the Court: Adoption of Comprehensive Plan of Action (February 13, 2013) (Doc. No. 271) ("Report") and Amended Comprehensive Plan of Action ("CPA") (Doc. No. 280) are hereby ADOPTED and APPROVED. Defendants, their officials, staff, agents, and all of those acting in concert with them, shall comply with the CPA. (See Order for additional information.) Signed by Judge Donovan W. Frank on 03/11/2014. (BJS) Modified on 3/11/2014 (kt). (Entered: 03/11/2014)
03/11/2014	<u>282</u>	RECEIPT for check number 00417846 in the amount of \$34,570.08. (jz) DOCUMENT QC'D ON 3/11/14 LGLModified on 3/11/2014 (LGL). (Entered: 03/11/2014)
03/12/2014	<u>283</u>	SECOND AMENDED COMPREHENSIVE PLAN OF ACTION (This amends the prior Plan filed as Attachment 1 to the Report filed at Doc. No. <u>271</u> .) (BJS) (Entered: 03/12/2014)
03/12/2014	<u>284</u>	AMENDED ORDER. 1. The Court Monitor's Report to the Court: Adoption of Comprehensive Plan of Action (February 13, 2013) (Doc. No. <u>271</u>) ("Report") and Second Amended Comprehensive Plan of Action ("CPA") (Doc. No. <u>283</u>) are hereby ADOPTED and APPROVED. Defendants, their officials, staff, agents, and all of those acting in concert with them, shall comply with the CPA. (See Order for additional information.) Signed by Judge Donovan W. Frank on 3/12/2014. (BJS) (Entered: 03/12/2014)
03/18/2014	<u>285</u>	REPORT TO THE COURT: Timeliness of Vulnerable Adult Maltreatment Investigations. Submitted by David Ferleger, Independent Consultant and Monitor. (BJS) (Entered: 03/18/2014)

03/19/2014	<u>286</u>	ORDER. 1. The Court Monitor shall submit to the Court on an approximately monthly basis an invoice for fees and expenses with copies to the parties. 2. A party may make an informal objection to an invoice for good cause shown, by providing written notice of the informal objection to the Court Monitor within five (5) days of the invoice, so that an effort may be made with him to resolve the objection. 3. The Court will review invoices and issue appropriate orders for payment from the Court's Registry. If no objection is filed by a party with the Court within ten (10) days of the date of the invoice, any objection to the invoice shall be considered permanently waived. 4. By agreement, the Minnesota Department of Human Services shall make a deposit to the Registry of this Court in the amount of \$315,599 on account for the estimated fees and expenses pursuant to this Order. 5. Upon the Court's order determining that the Court Monitors work under its orders has concluded, any balance remaining in the Registry account shall promptly be returned to the Minnesota Department of Human Services. Signed by Judge Donovan W. Frank on 3/19/2014. (BJS) (Entered: 03/19/2014)
03/24/2014	<u>287</u>	RECEIPT number 44641077566 in the amount of \$315,599.00 issued to State of Minnesota per Order dated 03/19/2014. (las)DOCUMENT QC'D ON 3/25/14 LGL Modified on 3/25/2014 (LGL). (Entered: 03/24/2014)
04/03/2014	<u>288</u>	REPORT TO THE COURT: Adoption of Format for Defendants' Compliance Reports. Submitted by David Ferleger, Independent Consultant and Monitor. (BJS) (Entered: 04/03/2014)
04/11/2014	<u>289</u>	REPORT re <u>159</u> Order, (<i>Defenants' First Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) List, # <u>2</u> Placeholder for Exhibits 1–7 (filed under seal))(Alpert, Steven) Sealed document received on 4/11/2014 (JGK). (Entered: 04/11/2014)
04/11/2014	<u>290</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>289</u> Report, (Alpert, Steven) (Entered: 04/11/2014)
04/14/2014	<u>291</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$18,056.54 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/14/2014. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 04/14/2014)
04/14/2014	<u>292</u>	ORDER re <u>285</u> Report 1. The Minnesota Department of Human Services, within thirty (30) days of the date of this Order, shall advise the Court of actions it will take to improve timeliness of maltreatment investigation reports regarding beneficiaries of the orders of this Court, including, but not limited to, the Olmstead Plan. 2. The Court Monitor may thereafter comment or make recommendations regarding the Minnesota Department of Human Services' submission. Signed by Judge Donovan W. Frank on 4/14/2014. (BJS) (Entered: 04/14/2014)
04/22/2014	<u>293</u>	LETTER TO DISTRICT JUDGE with REPORT re <u>266</u> Order (<i>First Minnesota Olmstead Subcabinet Report, with Appendices and Exhibits</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Certificate of Service). (Ikeda, Scott) Modified text on 4/23/2014 (lmb). (Entered: 04/22/2014)
04/23/2014	<u>294</u>	MEMORANDUM TO THE COURT: Hazards and Possibilities During MSHS–Cambridge's Final Months. Submitted by David Ferleger, Independent Consultant and Monitor. (RLB) (Entered: 04/23/2014)
04/24/2014	<u>295</u>	MEMORANDUM TO THE COURT: Person–Centered Planning Flowchart. Submitted by David Ferleger, Independent Consultant and Monitor. (RLB) (Entered: 04/24/2014)
04/24/2014	<u>296</u>	RECEIPT re: check number 00419851 in the amount of \$18,056.54. (LAS) (Qc'd on 5/1/14 by akl) (Entered: 04/24/2014)
04/30/2014	<u>297</u>	ORDER. The Court has reviewed the Court Monitor's Memorandum to the Court: Hazards and Possibilities During MSHS–Cambridge's Final Months (Doc. No. 294) (Memorandum), and notes his concern that, in the closing months of MSHS–Cambridge's existence, the remaining clients not be 'orphaned' and denied the safety, protection and treatment to which they are entitled under the Court's orders. MSHS–Cambridge's current residents are to move to community homes by June 30, 2014. The Minnesota Department of Human Services has responded to the Court Monitor's inquiries which preceded the Memorandum. Recalling that this litigation was initiated after the 2009 public exposure of inappropriate and abusive force at

		MSHS–Cambridges predecessor METO, the Court is extremely disappointed that, more than two years after the approval of the Settlement Agreement, for some employees, safety is equated with a show of force, power and control in a legacy of the old institutional way and not the direction we [DHS] are headed. Also, DHS has found that, at least for the client highlighted in the Memorandum, staff were not competent and adequately trained in her program and that her program was not being implemented. This state of affairs is fraught with risk to the safety of clients and staff alike. The Court expects the Minnesota Department of Human Services to utilize this opportunity to reinvigorate protections and treatment at MSHS–Cambridge, to ensure settlement–compliant meaningful activity at the facility, and to seriously consider implementation of the Court Monitor's recommendations. Signed by Judge Donovan W. Frank on 4/29/2014. (BJS) Modified text on 4/30/2014 (lmb). (Entered: 04/30/2014)
04/30/2014	<u>298</u>	ORDER. 1. Access to Individual and Records. Any county, agency, person or other entity, governmental or non–governmental, and any person working for, or in concert with, such an entity, which serves or has served any person whom the Court Monitor represents to be a review subject, shall permit the Court Monitor to have access to the individual, and to all his or her past and current records, whether paper, electronic, or in any other format. (Please see Order for additional information.) Signed by Judge Donovan W. Frank on 4/29/2014. (BJS) (Entered: 04/30/2014)
05/12/2014	<u>299</u>	REPORT re <u>284</u> Order, (<i>Def's Second Compliance Report, filed May 12, 2014</i>) by Minnesota Department of Human Services, Minnesota, State of. (Alpert, Steven) (Entered: 05/12/2014)
05/12/2014	<u>300</u>	EXHIBIT re <u>299</u> Report (<i>Part 1 – Exs. 8–32 to Def's Second Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) Placeholder for Exs. 8, 9 (filed under seal), # <u>3</u> Exhibit(s) 10, 11, # <u>4</u> Exhibit(s) 12, # <u>5</u> Exhibit(s) 13, # <u>6</u> Exhibit(s) Placeholder for Exs. 14, 15 (filed under seal), # <u>7</u> Exhibit(s) 16, # <u>8</u> Exhibit(s) 17, # <u>9</u> Exhibit(s) 18, 19, 20, 21, 22, 23, # <u>10</u> Exhibit(s) 24, # <u>11</u> Exhibit(s) 25, 26, 27, 28, 29, 30, # <u>12</u> Exhibit(s) Placeholder for Ex. 31 (filed under seal), # <u>13</u> Exhibit(s) 32)(Alpert, Steven) Sealed document received on 5/13/2014 (JGK). (Entered: 05/12/2014)
05/12/2014	<u>301</u>	EXHIBIT re <u>299</u> Report (<i>Part 2 – Exs. 33–72 to Def's Second Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) 33, # <u>3</u> Exhibit(s) Placeholder for Ex. 34 (filed under seal), # <u>4</u> Exhibit(s) 35, # <u>5</u> Exhibit(s) 36, # <u>6</u> Exhibit(s) Placeholder for Exs. 37, 38 (filed under seal), # <u>7</u> Exhibit(s) 39, # <u>8</u> Exhibit(s) 40, # <u>9</u> Exhibit(s) Placeholder for Exs. 40–42 (filed under seal), # <u>10</u> Exhibit(s) 43, # <u>11</u> Exhibit(s) 44, # <u>12</u> Exhibit(s) Placeholder for Exs. 45, 46, 47 (filed under seal), # <u>13</u> Exhibit(s) 48, 49, 50, 51, 52, 53, 54, # <u>14</u> Exhibit(s) Placeholder for Ex. 55 (filed under seal), # <u>15</u> Exhibit(s) 56, 57, 58, 59, 60, 61, 62, # <u>16</u> Exhibit(s) Placeholder for Ex. 63 (filed under seal), # <u>17</u> Exhibit(s) 64, # <u>18</u> Exhibit(s) 65, # <u>19</u> Exhibit(s) 66, # <u>20</u> Exhibit(s) Placeholder for Ex. 67 (filed under seal), # <u>21</u> Exhibit(s) 68, # <u>22</u> Exhibit(s) 69, # <u>23</u> Exhibit(s) 70, # <u>24</u> Exhibit(s) 71, # <u>25</u> Exhibit(s) 72)(Alpert, Steven) Sealed document received on 5/13/2014 (JGK). (Entered: 05/12/2014)
05/12/2014	<u>302</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>301</u> Exhibit,,, <u>300</u> Exhibit,, <u>299</u> Report (Alpert, Steven) (Entered: 05/12/2014)
05/14/2014	<u>303</u>	Olmstead Plan: Resolution of State's Requests for Modifications Nos. 2014–1 through 46 submitted by David Ferleger, Independent Consultant and Court Monitor. (BJS) (Entered: 05/14/2014)
05/14/2014	<u>304</u>	ORDER. The Court has received the Court Monitor's report, Olmstead Plan: Resolution of State's Requests for Modifications Nos. 2014–1 through 46 (Doc. No. <u>303</u>). Pursuant to the Court's Order of August 28, 2013 (Doc. No. 224), IT IS HEREBY ORDERED that any party seeking review of any item now resolved in the first instance by the Court Monitor, shall file any objection, with supporting arguments demonstrating good cause, within ten (10) days from the date of this Order. Signed by Judge Donovan W. Frank on 5/14/2014. (BJS) (Entered: 05/14/2014)

05/14/2014	<u>305</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>in Response to Doc. 292</i>). (Alpert, Steven) (Entered: 05/14/2014)
05/14/2014	<u>306</u>	Observations Regarding the State of Minnesota's April 22, 2014 Olmstead Plan Update (Dkt. 293) submitted by David Ferleger, Court Monitor.(BJS) (Entered: 05/14/2014)
05/19/2014	<u>307</u>	ORDER. Pursuant to and under the terms of the Order of March 19 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$37,419.34 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/19/2014. (Attachments: # <u>1</u> Exhibit A)(BJS) (Entered: 05/19/2014)
05/19/2014	<u>308</u>	ORDER. The Court Monitor shall follow up with the Lieutenant Governor, the Subcabinet, the Executive Director of the Olmstead Implementation Office, and other relevant officials from time to time on the issues discussed in this order. Signed by Judge Donovan W. Frank on 5/19/2014. (BJS) (Entered: 05/19/2014)
05/30/2014	<u>309</u>	ORDER. 1. The Clerk shall file the Court Monitor's May 29, 2014 Memorandum to the Court. 2. The State and the MDHS shall immediately identify any obstacles which may be preventing D.P.s timely move to the permanent home to which he is entitled under the CPA.3. Pursuant to CPA, EC 48, the State and the MDHS which are obligated to actively pursue[] the appropriate discharge of D.P. and to provide him with adequate and appropriate transition plans, protections, supports and services consistent with [his] individualized needs in the most integrated setting, shall report to the Court Monitor on a weekly basis regarding its actions and progress with respect to D.P. 4. To the extent that there are administrative, funding, regulatory or similar challenges which are impeding D.P.'s timely move to the permanent home to which he is entitled under the CPA, the State and the MDHS shall report those challenges to the Court Monitor weekly, together with the Governments actions to overcome those challenges. 5. To the extent that any action or inaction by counties and provider agencies are impeding D.P.'s timely move to the permanent home to which he is entitled under the CPA, the State and the MDHS shall report such action or inaction to the Court Monitor weekly. This reporting shall be together with the MDHS's action to require compliance by counties and providers through all necessary means within the Department of Human Services authority, including but not limited to incentives, rule, regulation, contract, rate-setting, and withholding of funds. Signed by Judge Donovan W. Frank on 5/30/2014. (BJS) (Entered: 05/30/2014)
05/30/2014	<u>310</u>	MEMORANDUM TO THE COURT from David Ferleger, Court Monitor, dated May 29, 2014. (BJS) (Entered: 05/30/2014)
06/18/2014	<u>311</u>	Olmstead Plan: Resolution of State's Requests for Modifications Nos. 2014-26 (revised) and 2014-47 through 2014-50. Report filed by David Ferleger, Court Monitor. (BJS) (Entered: 06/18/2014)
06/18/2014	<u>312</u>	ORDER. Any party seeking review of any item now resolved in the first instance by the Court Monitor, shall file any objection, with supporting arguments demonstrating good cause, within ten (10) days from the date of this Order. Signed by Judge Donovan W. Frank on 6/18/2014. (BJS) (Entered: 06/18/2014)
06/20/2014	<u>313</u>	Report to the Court: Community Compliance Review. Filed by David Ferleger, Court Monitor. (BJS) Sealed Per Judge Donovan W. Frank. Redacted Version filed at Doc. No. <u>327</u> . Modified on 7/11/2014 (TSS). (Entered: 06/20/2014)
06/20/2014	<u>314</u>	REPORT NO. 2, MINNESOTA OLMSTEAD SUB-CABINET REPORT TO THE COURT by Minnesota Department of Human Services. (Attachments: # <u>1</u> Certificate of Service)(Ikeda, Scott) Modified on 6/20/2014 (JAM). (Entered: 06/20/2014)
06/23/2014	<u>315</u>	ORDER FOR ACCOUNTING. The Court respectfully directs and requires the guardian for Jason Jacobs, Elizabeth Jacobs, to provide an accounting of the expenditures with respect to the \$75,000 received by Jason Jacobs as follows: (See Order for additional details.) Signed by Judge Donovan W. Frank on 6/23/2014. (BJS) (Entered: 06/23/2014)
06/24/2014	<u>316</u>	ORDER. Pursuant to and under the terms of the Order of March 19 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$70,632.25 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 6/23/2014. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 06/24/2014)

06/24/2014	<u>317</u>	MOTION to Alter/Amend/Supplement Pleadings <u>285</u> Report <i>STATE DEFENDANTS' MOTION TO AMEND THE COMPREHENSIVE PLAN OF ACTION</i> by Minnesota Department of Human Services, Minnesota, State of. (Alpert, Steven) (Entered: 06/24/2014)
06/24/2014	<u>318</u>	NOTICE OF HEARING ON MOTION <u>317</u> MOTION to Alter/Amend/Supplement Pleadings <u>285</u> Report <i>STATE DEFENDANTS' MOTION TO AMEND THE COMPREHENSIVE PLAN OF ACTION</i> : at date and time to be determined. (Alpert, Steven) (Entered: 06/24/2014)
06/24/2014	<u>319</u>	MEMORANDUM in Support re <u>317</u> MOTION to Alter/Amend/Supplement Pleadings <u>285</u> Report <i>STATE DEFENDANTS' MOTION TO AMEND THE COMPREHENSIVE PLAN OF ACTION</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Alpert, Steven) (Entered: 06/24/2014)
06/24/2014	<u>320</u>	MEET and CONFER STATEMENT re <u>317</u> Motion to Alter/Amend/Supplement Pleadings filed by Minnesota Department of Human Services, Minnesota, State of. (Alpert, Steven) (Entered: 06/24/2014)
06/24/2014	<u>321</u>	AFFIDAVIT of DR. TIMOTHY R. MOORE in SUPPORT OF <u>317</u> MOTION to Alter/Amend/Supplement Pleadings <u>285</u> Report <i>STATE DEFENDANTS' MOTION TO AMEND THE COMPREHENSIVE PLAN OF ACTION</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) 1)(Alpert, Steven) (Entered: 06/24/2014)
06/24/2014	<u>322</u>	AFFIDAVIT of DR. MARGARET FLETCHER-BOOTH in SUPPORT OF <u>317</u> MOTION to Alter/Amend/Supplement Pleadings <u>285</u> Report <i>STATE DEFENDANTS' MOTION TO AMEND THE COMPREHENSIVE PLAN OF ACTION</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) 1)(Alpert, Steven) (Entered: 06/24/2014)
06/27/2014	<u>323</u>	ORDER. The State Defendants' Motion to Amend the Comprehensive Plan of Action (June 24, 2014) (Doc. No. <u>317</u>) is taken under advisement. 4 The Court Monitor shall continue to consult with Defendants on their efforts for D.P.'s move from MSHS-Cambridge. Defendants will continue to report to the Monitor at least weekly or, if he so requests, more often. Signed by Judge Donovan W. Frank on 6/27/2014. (BJS) (Entered: 06/27/2014)
07/03/2014	<u>324</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Alpert, Steven) (Entered: 07/03/2014)
07/07/2014	<u>325</u>	RECEIPT number 00422942 dated 07/01/2014 in the amount of \$70,632.25. (las) (QC'd by akl on 7/10/14) (Entered: 07/08/2014)
07/10/2014	<u>326</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Olmstead Plan Proposed Modifications, # <u>2</u> Exhibit(s) Summary of Proposed Modifications)(Alpert, Steven) (Entered: 07/10/2014)
07/11/2014	<u>327</u>	Report to the Court: Community Compliance Review. Filed by David Ferleger, Court Monitor. (Redacted Version; unredacted version filed at Doc. No. <u>313</u> .) (BJS) (Entered: 07/11/2014)
07/15/2014	<u>328</u>	REPORT re <u>284</u> Order, <i>Defs' Third Compliance Update Report</i> by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 07/15/2014)
07/15/2014	<u>329</u>	EXHIBIT re <u>328</u> Report by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) 73, # <u>2</u> Exhibit(s) 74, # <u>3</u> Exhibit(s) 75, # <u>4</u> Exhibit(s) 76, # <u>5</u> Placeholder for Exs. 77, 78 filed under seal, # <u>6</u> Exhibit(s) 79, # <u>7</u> Exhibit(s) 80, # <u>8</u> Exhibit(s) 81, # <u>9</u> Placeholder for Ex. 82 filed under seal, # <u>10</u> Exhibit(s) 83, # <u>11</u> Placeholder for Ex. 84 filed under seal, # <u>12</u> Exhibit(s) 85, # <u>13</u> Placeholder for Exs. 86, 87, 88, 89, 90, 91, 92 filed under seal, # <u>14</u> Exhibit(s) 93, # <u>15</u> Exhibit(s) 94, # <u>16</u> Exhibit(s) 95, # <u>17</u> Exhibit(s) 96, # <u>18</u> Exhibit(s) 97, # <u>19</u> Placeholder for Exs. 98, 99 filed under seal, # <u>20</u> Exhibit(s) Ex. 100 (redacted), # <u>21</u> Placeholder for Ex. 100 (unredacted copy filed under seal), # <u>22</u> Exhibit(s) 101, # <u>23</u> Exhibit(s) 102, # <u>24</u> Exhibit(s) 103, # <u>25</u> Placeholder for Ex. 104 filed under seal, # <u>26</u>

		Exhibit(s) 105, # <u>27</u> Exhibit(s) 106, # <u>28</u> Placeholder for Ex. 107 filed under seal, # <u>29</u> Exhibit(s) 108, # <u>30</u> Exhibit(s) 109, # <u>31</u> Placeholder for Exs. 110, 111, 112 filed under seal)(Noss, Anthony) Sealed documents received on 7/16/2014 (JGK). (Entered: 07/15/2014)
07/16/2014	<u>330</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>328</u> Report, <u>329</u> Exhibit,,,, (Noss, Anthony) (Entered: 07/16/2014)
07/18/2014	<u>331</u>	ORDER. Pursuant to and under the terms of the Order of March 19 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$60,871.53 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 7/18/2014. (Attachments: # <u>1</u> Exhibit(s) 1)(BJS) (Entered: 07/18/2014)
07/24/2014	<u>332</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 07/24/2014)
08/06/2014	<u>333</u>	REPORT TO THE COURT: Approval of Revised Olmstead Plan. Filed by David Ferleger, Court Monitor. (BJS) (Entered: 08/06/2014)
08/07/2014	<u>334</u>	RECEIPT for number check number 0042407 in the amount of \$60,871.53. (las)DOCUMENT QC'D ON 8/7/14 LGL Modified on 8/7/2014 (LGL). (Entered: 08/07/2014)
08/11/2014	<u>335</u>	NOTICE OF ATTORNEY APPEARANCE/SUBSTITUTION for Minnesota Department of Human Services, Minnesota, State of. (Winter, Aaron) (Entered: 08/11/2014)
08/19/2014	<u>336</u>	REPORT <i>Minnesota Olmstead Subcabinet Report – Status Update Report No. 3</i> by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Certificate of Service)(Winter, Aaron) (Entered: 08/19/2014)
08/20/2014	<u>337</u>	ORDER. The Court Monitor's Reports Olmstead Plan: Resolution of State's Requests for Modifications Nos. 2014–1 through 46 (Doc. No. <u>303</u>) and Olmstead Plan: Resolution of State's Requests for Modifications Nos. 2014–26 (revised) and 2014–47 through 2014–50 (Doc. No. <u>311</u>) are ADOPTED and incorporated by reference. The State shall modify the Olmstead Plan in compliance with the Court Monitor's Reports. Signed by Judge Donovan W. Frank on 8/20/2014. (BJS) (Entered: 08/20/2014)
08/22/2014	<u>338</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>response to 7–24–14 letter regarding 6–20–14 Community Compliance Review Report and Olmstead Plan</i>). (Noss, Anthony) (Entered: 08/22/2014)
08/27/2014	<u>339</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$9,446.26 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 08/26/2014. (Attachments: # <u>1</u> Exhibit(s) Attachment A)(RLB) (Entered: 08/27/2014)
09/03/2014	<u>340</u>	ORDER. 1. The Court APPROVES the Court Monitor's Report to the Court: Community Compliance Review (Doc. No. <u>327</u>). (See Order for additional information.) (Written Opinion). Signed by Judge Donovan W. Frank on 9/3/2014. (BJS) (Entered: 09/03/2014)
09/05/2014	<u>341</u>	RECEIPT re: check number 0042577 in the amount of \$9,446.26. (las) Modified text on 9/5/2014 (lmb).DOCUMENT QC'D ON 9/5/14 LGL Modified on 9/5/2014 (LGL). (Entered: 09/05/2014)
09/15/2014	<u>342</u>	REPORT re <u>284</u> Order, (<i>Defendants' Fourth Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) Index, # <u>2</u> Exhibit(s) Placeholder (Ex. 113 filed under seal), # <u>3</u> Exhibit(s) Placeholder (E x. 114 filed under seal), # <u>4</u> Exhibit(s) Placeholder (Ex. 115 filed under seal), # <u>5</u> Exhibit(s) Placeholder (Ex. 116 filed under seal), # <u>6</u> Exhibit(s) Placeholder (Ex. 117 filed under seal), # <u>7</u> Exhibit(s) Placeholder (Exs. 118, 119, 120 filed under seal), # <u>8</u> Exhibit(s) 121, # <u>9</u> Exhibit(s) 122, # <u>10</u> Exhibit(s) 123, # <u>11</u> Exhibit(s) 124)(Noss, Anthony) Sealed documents received on 9/15/2014 (JGK). (Entered: 09/15/2014)

09/16/2014	<u>343</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>342</u> Report,, (Noss, Anthony) (Entered: 09/16/2014)
09/18/2014	<u>344</u>	ORDER. 1. The Court DECLINES TO ADOPT the State's Proposed Olmstead Plan (Doc. No. [326-1]) at this time. 2. The parties shall submit a revised Olmstead Plan to the Court Monitor by November 10, 2014. (Written Opinion). Signed by Judge Donovan W. Frank on 9/18/2014. (BJS) (Entered: 09/18/2014)
10/06/2014	<u>345</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$52,099.09 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 10/06/2014. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 10/06/2014)
10/20/2014	<u>346</u>	RECEIPT number 427566 in the amount of \$52,099.09. (kt)DOCUMENT QC'D ON 10/21/14 LGL Modified on 10/21/2014 (LGL). (Entered: 10/20/2014)
10/20/2014	<u>347</u>	Behavioral Intervention Devices & Practices: Achieving compliance in Community Programs. Report by Court Monitor David Ferleger. (Redacted) (Attachments: # <u>1</u> Appendix A – Redacted, # <u>2</u> Appendix B – Unredacted, # <u>3</u> Appendix C – Redacted)(BJS) (Entered: 10/20/2014)
10/20/2014	<u>348</u>	ORDER. 1. The parties shall file responses to the October 17, 2014 report, and the recommendations contained therein, on or before October 30, 2014. 2. The Executive Director of the Governor's Council on Developmental Disabilities and the Ombudsman for Mental Health and Developmental Disabilities may respond by letter, with copies to the parties and the Court Monitor, on or before November 6, 2014. Signed by Judge Donovan W. Frank on 10/20/2014. (BJS) (Entered: 10/20/2014)
10/20/2014	<u>349</u>	AMENDED ORDER. 1. The parties shall file responses to the October 17, 2014 report, and the recommendations contained therein, on or before October 30, 2014. 2. The Executive Director of the Governor's Council on Developmental Disabilities and the Ombudsman for Mental Health and Developmental Disabilities may respond by letter, with copies to the parties and the Court Monitor, on or before November 6, 2014. Signed by Judge Donovan W. Frank on 10/20/2014. (BJS) (Entered: 10/20/2014)
10/22/2014	<u>350</u>	REPORT (<i>Minnesota Olmstead Subcabinet Status Report to the Court – Report No. 4 (July 1 – August 31, 2014)</i>) by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 10/22/2014)
10/22/2014	<u>351</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>350</u> Report (Noss, Anthony) (Entered: 10/22/2014)
10/30/2014	<u>352</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Attachment A (redacted), # <u>2</u> Placeholder for Attachment A (filed under seal))(Noss, Anthony) SEALED DOCUMENT RECEIVED IN CLERK'S OFFICE on 10/31/2014 (LPH). (Entered: 10/30/2014)
10/30/2014	<u>353</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 10/30/2014)
10/30/2014	<u>354</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>352</u> Letter to District Judge (<i>re DHS Response to Court Monitor's 10-17-14 Report</i>) (Noss, Anthony) (Entered: 10/30/2014)
11/05/2014	<u>355</u>	LETTER TO DISTRICT JUDGE by David Ferleger re DHS' "Statistics" (BJS) (Entered: 11/05/2014)
11/13/2014	<u>356</u>	COMMENTS AND EXPECTATIONS: DHS Diversion from Institutionalization filed by David Ferleger, Court Monitor. (BJS) (Entered: 11/13/2014)
11/13/2014	<u>357</u>	LETTER RESPONSE from Meridian Services (Redacted) to Behavioral Intervention Devices & Practices (Doc. No. <u>347</u>). (BJS) (Entered: 11/13/2014)
11/13/2014	<u>358</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Attachment A (redacted), # <u>2</u> Placeholder for Attachment A (filed under seal))(Noss, Anthony) SEALED DOCUMENT RECEIVED IN CLERK'S OFFICE on 11/14/2014 (LPH). (Entered: 11/13/2014)

11/13/2014	<u>359</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>358</u> Letter to District Judge (Noss, Anthony) (Entered: 11/13/2014)
11/17/2014	<u>360</u>	REPORT <i>Defendants' Fifth Compliance Update Report</i> by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 11/17/2014)
11/17/2014	<u>361</u>	EXHIBIT re <u>360</u> Report (<i>Def. Fifth Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) List, # <u>2</u> Placeholder for Ex. 125 filed under seal, # <u>3</u> Exhibit(s) (redacted Ex. 126), # <u>4</u> Placeholder for Ex. 126 filed under seal, # <u>5</u> Placeholder for Ex. 127 filed under seal, # <u>6</u> Placeholder for Ex. 128 filed under seal, # <u>7</u> Placeholder for Ex. 129 filed under seal, # <u>8</u> Exhibit(s) (redacted Ex. 130), # <u>9</u> Placeholder for Ex. 130 filed under seal, # <u>10</u> Placeholder for Exs. 131–134 filed under seal, # <u>11</u> Exhibit(s) 135, # <u>12</u> Exhibit(s) 136, # <u>13</u> Exhibit(s) 137, # <u>14</u> Exhibit(s) 138, # <u>15</u> Placeholder for Exs. 139–143 filed under seal, # <u>16</u> Exhibit(s) 144, # <u>17</u> Exhibit(s) 145 (redacted), # <u>18</u> Placeholder for Ex. 145 filed under seal, # <u>19</u> Exhibit(s) 146, # <u>20</u> Exhibit(s) 147, # <u>21</u> Exhibit(s) 148, # <u>22</u> Exhibit(s) 149, # <u>23</u> Exhibit(s) 150, # <u>24</u> Placeholder for Ex. 151 filed under seal)(Noss, Anthony) Sealed documents received on 11/17/2014 (JGK). (Entered: 11/17/2014)
11/17/2014	<u>362</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) 2011 Abuse and Neglect Document).(Azman, Mark) Modified text on 11/18/2014 (lmb). (Entered: 11/17/2014)
11/20/2014	<u>363</u>	EXHIBIT re <u>328</u> Report (<i>Placeholder for Exhibit 107 (filed under seal) to Defendants' Third Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) Sealed document received on 11/20/2014 (JGK). (Entered: 11/20/2014)
11/20/2014	<u>364</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>363</u> Exhibit (Noss, Anthony) (Entered: 11/20/2014)
11/24/2014	<u>365</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of, re <u>361</u> Exhibit, <u>360</u> Report (<i>5th Compliance Update Report and Exhibits</i>). (Noss, Anthony) (Entered: 11/24/2014)
11/26/2014	<u>366</u>	LETTER/RESPONSE re <u>356</u> Report <i>Response to Comments and Expectations: DHS Diversion from Institutionalization filed by Court Monitor</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Winter, Aaron) Modified text on 11/26/2014 (lmb). (Entered: 11/26/2014)
12/01/2014	<u>367</u>	ORDER. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$47,551.86 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 12/1/2014. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 12/01/2014)
12/05/2014	<u>368</u>	ORDER. 1. The Court approves the Court Monitor's Behavioral Intervention Devices and Practices: Achieving Compliance in Community Programs Report to the Court (Doc. No. <u>347</u>) and adopts in part the recommendations therein as specified in this Order. 2. Should DHS fail to timely comply with the terms of this Order, the Court reserves the right to impose monetary or other sanctions. 3. The Court reserves the right to address other non–compliance issues by separate order. Signed by Judge Donovan W. Frank on 12/5/2014. (BJS) (Entered: 12/05/2014)
12/08/2014	<u>369</u>	Memorandum to the Court: Docketing State's November 10, 2014 Revised Olmstead Plan and Related Documents by David Ferleger, Court Monitor. (Attachments: # <u>1</u> Appendix 1 (Part 1), # <u>2</u> Appendix 1 (Part 2), # <u>3</u> Appendix 2, # <u>4</u> Appendix 3)(BJS) (Entered: 12/10/2014)
12/17/2014	<u>370</u>	RECEIPT re: Check Number 00430518 in the amount of \$47,551.86. (las) DOCUMENT QC'D ON 12/18/14 LGLModified on 12/18/2014 (LGL). (Entered: 12/17/2014)
12/22/2014	<u>371</u>	REPORT (<i>Minnesota Olmstead Subcabinet Report – Status Update (Sept. 1 – Oct. 31, 2014) – Report No. 5</i>) by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 12/22/2014)

12/22/2014	<u>372</u>	DHS Response to Court Monitor's "Report to Court Verification Items: DHS 4th and 5th Compliance Update Report from Anne M. Barry. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3, # <u>4</u> Placeholder for Attachments 4 and 5A–5E (sealed), # <u>5</u> Attachment 6 (Redacted), # <u>6</u> Placeholder for Attachment 6 (sealed))(Noss, Anthony) SEALED DOCUMENTS RECEIVED IN CLERK'S OFFICE on 12/22/2014 (LPH). Modified docket text on 12/24/2014 (TSS). (Entered: 12/22/2014)
12/22/2014	<u>373</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>372</u> Letter to Clerk's Office, (<i>DHS Response to Court Monitor's "Report to Court Verification Items: DHS 4th and 5th Compliance Update Report"</i>) (Noss, Anthony) (Entered: 12/22/2014)
12/24/2014	<u>374</u>	REPORT TO THE COURT. Verification Items: DHS 4th and 5th Compliance Update Report (David Ferleger, Court Monitor). (BJS) (Entered: 12/24/2014)
12/26/2014	<u>375</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>371</u> Report (<i>Olmstead Subcabinet Status Report – Report No. 5</i>) (Noss, Anthony) (Entered: 12/26/2014)
12/31/2014	<u>376</u>	Report to the Court – Olmstead Plan: Completion of Deliverables. Signed by David Ferleger, Court Monitor on 12/31/2014. (Attachments: # <u>1</u> Appendix A, # <u>2</u> Appendix B)(RLB) (Entered: 12/31/2014)
01/09/2015	<u>377</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK from Court Monitor David Ferleger dated January 5, 2015 (received January 8, 2015) in re Order of December 5, 2014 (Doc. No. <u>368</u>). (BJS) (Entered: 01/09/2015)
01/09/2015	<u>378</u>	ORDER. 1. The Court provisionally approves the State of Minnesota's proposed revisions to the Olmstead Plan (Doc. No. <u>369</u>), subject to the Court's review of the State's modifications and any submissions by Plaintiffs' Counsel. 2. Plaintiffs' Counsel may file any comments or objections to the Olmstead Plan as currently submitted by February 6, 2015. 3. The State shall file a revised Olmstead Plan by March 20, 2015. Signed by Judge Donovan W. Frank on 01/09/2015. (BJS) (Entered: 01/09/2015)
01/13/2015	<u>379</u>	ORDER. 1. Defendants' Motion to Amend the Comprehensive Plan of Action (Doc. No. <u>317</u>) is DENIED AS MOOT. 2. Defendants shall continue to report to the Court Monitor on a regular basis regarding D.P.'s living situation. (Written Opinion). Signed by Judge Donovan W. Frank on 1/13/2015. (BJS) (Entered: 01/13/2015)
01/16/2015	<u>380</u>	ORDER The Clerk shall forthwith issue a check to David Ferleger in the amount of \$39,189.43 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 1/16/2015. (Attachments: # <u>1</u> Attachment A)(BJS) cc: KU/USDC Financial Unit. Modified on 1/20/2015 (lmb). (Entered: 01/16/2015)
01/28/2015	<u>381</u>	REPORT TO THE COURT – COMMUNITY COMPLIANCE REVIEW: DHS Follow–up by David Ferleger, Court Monitor. (BJS) (Entered: 01/28/2015)
01/28/2015	<u>382</u>	LETTER TO DISTRICT JUDGE filed by Minnesota Olmstead Sub–Cabinet. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Envelope)(TSS) Document QC'd on 2/12/2015 (JGK). (Entered: 01/29/2015)
02/02/2015	<u>383</u>	ORDER ON MONITOR COSTS. 1. The Court has jurisdiction over the subject matter of this action, the parties, and the class. 2. All fees and costs incurred by the Court Monitor in carrying out his responsibilities for the period January 1, 2015, through June 30, 2015, shall not exceed \$250,000 and for the period July 1, 2015, through June 30, 2016, shall not exceed \$463,671. 3. The Court Monitor shall submit all costs and fees, and the parties shall reserve all rights to review and object to the same, in accordance with the process set forth in the Court's Order, dated August 7, 2012 (Doc. No. 160).4. The Department shall deposit a lump sum of \$250,000 ("Deposit") with the Court's Registry within 10 business days of entry of this Order and a subsequent lump sum deposit of \$463,671 by July 30, 2015. Disbursements of funds from the same to the Court Monitor will be made pursuant to the process set forth in the Court's Order, dated August 7, 2012 (Doc. No. 160). 5. Within a reasonable time following June 30, 2016, the Court shall issue a check to the Department for any remaining Deposit funds held in the Court's Registry. 6. The Court Monitor and Department recognize the possibility that the Court could change the Court Monitor's role and/or responsibilities in calendar year 2015 or 2016. The above terms are not meant to bind

		the Court, but rather reflect the Department's and Court Monitor's agreement on budget terms with respect to the Court Monitor's current role and responsibilities. Should the Court change the Court Monitor's role and/or responsibilities, the Court Monitor and Department expressly reserve and do not waive their legal rights. Signed by Judge Donovan W. Frank on 1/30/2015. (BJS) (Entered: 02/02/2015)
02/03/2015	<u>384</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 02/03/2015)
02/05/2015	<u>385</u>	RECEIPT number 34641012531 in the amount of \$250,000.00 issued to State of Minnesota. (las) Document QC'd on 2/12/2015 (JGK). (Entered: 02/05/2015)
02/11/2015	<u>386</u>	RECEIPT re: Check #00433284 in the amount of \$39,189.43. (las) DOCUMENT QC'd by KT on 2/11/15. (kt) (Entered: 02/11/2015)
02/13/2015	<u>387</u>	REPORT (<i>Defendants' Sixth Compliance Update Report</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) List, # <u>2</u> Placeholder for Exhibits 152–169 (filed under seal), # <u>3</u> Exhibit(s) 170–Redacted version, # <u>4</u> Placeholder for Exhibit 170 (filed under seal), # <u>5</u> Placeholder for Exhibit 171, # <u>6</u> Exhibit(s) 172, # <u>7</u> Exhibit(s) 173, # <u>8</u> Exhibit(s) 174)(Noss, Anthony) Sealed documents received on 2/13/2015 (JGK). (Entered: 02/13/2015)
02/18/2015	<u>388</u>	REPORT TO THE COURT: COMMUNITY SUPPORT SERVICES STAFFING (David Ferleger, Court Monitor), 02/18/2015. (RLB) (Entered: 02/18/2015)
02/20/2015	<u>389</u>	REPORT (<i>MN Olmstead Subcabinet Rep. No. 6, Status Update Nov. 1, 2014–Dec. 31, 2014 (Part 1 of 3)</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Part 2 of 3 – MN Olmstead Subcabinet Report No. 6, # <u>2</u> Part 3 of 3 – MN Olmstead Subcabinet Report No. 6, # <u>3</u> Verification)(Noss, Anthony) (Entered: 02/20/2015)
02/23/2015	<u>390</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>389</u> Report, (Noss, Anthony) (Entered: 02/23/2015)
02/24/2015	<u>391</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>387</u> Report, <i>for (6th Compliance Update Report)</i> (Noss, Anthony) (Entered: 02/24/2015)
02/27/2015	<u>392</u>	REPORT TO THE COURT: ACTIONS ON OLMSTEAD PLAN UPDATE (David Ferleger, Court Monitor), 02/27/2015. (RLB) (Entered: 02/27/2015)
03/04/2015	<u>393</u>	LETTER RESPONSE by Minnesota Department of Human Services, Minnesota, State of to Court Monitor's Feb. 18, 2015 Report to the Court [Doc. <u>388</u> , Filed Feb. 18, 2015] " <i>Community Support Services Staffing</i> ". (Noss, Anthony) Modified text on 3/4/2015 (lmb). (Entered: 03/04/2015)
03/09/2015	<u>394</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$43,664.51 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 3/9/2015. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 03/09/2015)
03/12/2015	<u>395</u>	Olmstead Plan – Public Information Memo to Darlene Zangra and Michael Tessneer from Court Monitor David Ferleger. Dated 3/11/2015. (BJS) (Entered: 03/12/2015)
03/16/2015	<u>396</u>	REPORT (<i>Defendants' Seventh Compliance Update Report (Jan. 1–Feb. 28, 2015)</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) List, # <u>2</u> Exhibit(s) 175 (Redacted), # <u>3</u> Placeholder for Exhibit 175 (filed under seal), # <u>4</u> Placeholder for Exhibits 176–182 (filed under seal), # <u>5</u> Exhibit(s) 183, # <u>6</u> Exhibit(s) 184, # <u>7</u> Exhibit(s) 185)(Noss, Anthony) Sealed document received on 3/16/2015 (JGK). (Entered: 03/16/2015)
03/18/2015	<u>397</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>396</u> Report, (<i>7th Compliance Update Report and Exhibits</i>) (Noss, Anthony) (Entered: 03/18/2015)
03/19/2015	<u>398</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK from Mary Tingerthal and Lucinda Jesson re Response to the Court's January 9, 2015 Order. (BJS) (Entered: 03/19/2015)

03/19/2015	<u>399</u>	LETTER TO DISTRICT JUDGE by James Jensen, Lorie Jensen . (Attachments: # <u>1</u> Exhibit(s) Examples of Required Changes). (Azman, Mark) Modified text on 3/19/2015 (lmb). (Entered: 03/19/2015)
03/19/2015	<u>400</u>	ORDER. Defendants' request for clarification of the Court's January 9, 2015 Order and an extension of time (Doc. No. <u>398</u>) is DENIED. (Written Opinion). Signed by Judge Donovan W. Frank on 3/19/2015. (BJS) (Entered: 03/19/2015)
03/23/2015	<u>401</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK AND DAVID FERLEGER, ESQ. Re: Response to Court's January 9, 2015 Order. (Attachments: # <u>1</u> Enclosure – Revised Olmstead Plan)(BJS) (Entered: 03/23/2015)
03/23/2015	<u>402</u>	TEXT ONLY NOTICE to Attorneys: On March 20, 2015, the State of Minnesota submitted a Revised Olmstead Plan to the Court and the Court Monitor. (See Doc. No. <u>401</u> .) Advocating Change Together ("ACT"), an interested non-party to this litigation, has requested the Court's permission to submit a response to the Revised Olmstead Plan by April 6, 2015. The Court hereby approves ACT's request. Additionally, Plaintiffs' counsel shall file any comments or objections to the Revised Olmstead Plan, as well as any response to ACT's submission, by April 13, 2015. (BJS) (Entered: 03/23/2015)
03/23/2015	<u>403</u>	RECEIPT re: check number 00434766 in the amount of \$12,389.38. (las) Qc'd on 3/25/2015 (AKL). (Entered: 03/23/2015)
03/27/2015	<u>404</u>	REPORT (<i>MN Olmstead Subcabinet Report to the Court – Status Update for Nov. 1–Dec. 31, 2014 – Report No. 6 Addendum</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Verification)(Noss, Anthony) (Entered: 03/27/2015)
03/31/2015	<u>405</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>404</u> Report <i>MN Olmstead Subcabinet Status Report No. 6 Addendum</i>) (Noss, Anthony) (Entered: 03/31/2015)
04/06/2015	<u>406</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$46,593.11 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 4/6/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 04/06/2015)
04/09/2015	<u>407</u>	Court Monitor Report to the Court Regarding Class Member E.G. dated April 8, 2015. (Attachments: # <u>1</u> Attachment A – State Court Order)(BJS) (Entered: 04/09/2015)
04/09/2015	<u>408</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK from Advocating Change Together dated April 6, 2015 Commenting on the Olmstead Plan. (BJS) (Entered: 04/09/2015)
04/09/2015	<u>409</u>	LETTER from Mid–Minnesota Legal Aid dated April 6, 2015 Commenting on the Olmstead Plan. (BJS) (Entered: 04/09/2015)
04/10/2015	<u>410</u>	AMENDED ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$43,593.11 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 4/10/2015. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 04/10/2015)
04/13/2015	<u>411</u>	LETTER TO DISTRICT JUDGE by Minnesota Disability Law Center <i>Amicus Request</i> . (Hoopes, Pamela) (Entered: 04/13/2015)
04/13/2015	<u>412</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 04/13/2015)
04/14/2015	<u>413</u>	TEXT ONLY ORDER : The Minnesota Disability Law Center of Mid–Minnesota Legal Aid has filed a letter to the Court (Doc. No. <u>411</u>) requesting the Court's permission to submit an amicus brief addressing the "policy and civil rights issues implicated in the Olmstead Plan." The parties shall file any objections to the letter request by 4:30 p.m. on April 20, 2015. Signed by Judge Donovan W. Frank on 4/14/2015. (BJS) (Entered: 04/14/2015)
04/14/2015	<u>414</u>	REPORT to the Court: Verification of Representations by the State (by Court Monitor David Ferleger). (Attachments: # <u>1</u> Attachment A – Olmstead Office Response, # <u>2</u> Attachment B – Training Tracker)(BJS) (Entered: 04/14/2015)

04/14/2015	<u>415</u>	ORDER. 1. The parties shall file responses to the April 14, 2015 report, and the recommendations contained therein, on or before April 28, 2015. 2. The Executive Director of the Governor's Council on Developmental Disabilities and the Ombudsman for Mental Health and Developmental Disabilities may respond by letter, with copies to the parties and the Court Monitor, on or before May 5, 2015. Signed by Judge Donovan W. Frank on 04/14/2015. (BJS) (Entered: 04/14/2015)
04/16/2015	<u>416</u>	TEXT ONLY ENTRY: CLERK'S NOTICE OF REASSIGNMENT. This case is reassigned to Magistrate Judge Becky R. Thorson. Magistrate Judge Franklin L. Noel no longer assigned to the case. NOTE: the new case number is 09-cv-1775 DWF/BRT . Please use this case number for all subsequent pleadings. (LJG) (Entered: 04/16/2015)
04/20/2015	<u>417</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services (<i>re MN Disability Law Center request to file amicus brief</i>). (Noss, Anthony) (Entered: 04/20/2015)
04/20/2015	<u>418</u>	RECEIPT re: check number 00437720 in the amount of \$43,593.11. (las) DOCUMENT QC'd by KT on 4/28/15. (kt) (Entered: 04/21/2015)
04/21/2015	<u>419</u>	DOCUMENT FILED IN ERROR//FILED IN WRONG CASE//ORDER. 1. The Minnesota Disability Law Center of Mid-Minnesota Legal Aid shall file its amicus brief on or before April 27, 2015. 2. Plaintiffs and Defendants may each file a written response to the amicus brief on or before May 4, 2015. Signed by Judge Donovan W. Frank on 4/21/2015. (BJS) Modified text on 4/21/2015 (JDF). (Entered: 04/21/2015)
04/21/2015	<u>420</u>	ORDER. 1. The Minnesota Disability Law Center of Mid-Minnesota Legal Aid shall file its amicus brief on or before April 27, 2015. 2. Plaintiffs and Defendants may each file a written response to the amicus brief on or before May 4, 2015. Signed by Judge Donovan W. Frank on 4/21/2015. (BJS) (Entered: 04/21/2015)
04/21/2015	<u>421</u>	ORDER FOR STATUS CONFERENCE. 1. The parties shall participate in a status conference on May 28, 2015 at 9:00 a.m. to discuss the status of this case and to address a number of issues impeding the implementation of the Settlement Agreement, including, but not limited to: (a) compliance with federal rules and procedures regarding formal and informal submissions to the Court; (b) communication barriers between the parties, the Court Monitor, and the Court; and (c) compliance with the provisions of the Settlement Agreement and the Court's Orders. 2. The Court assumes and expects that counsel for Plaintiffs and Defendants, appropriate officials from the State of Minnesota and the Department of Human Services, including Commissioner Lucinda Jesson, Commissioner Mary Tingerthal, Gregory Gray, Ricardo Figueroa, Amy Kaldor Akbay, Solicitor General Alan I. Gilbert, consultants to the parties, Roberta Opheim and Dr. Colleen Wieck, and the Court Monitor will be present at the conference. The conference participants shall be limited to the above-named individuals. 3. The status conference will be presided over by the undersigned, along with United States Magistrate Judge Becky R. Thorson. 4. The status conference will take place in the 7th Floor Conference Room (accessible by buzzing Judge Franks chambers on the 7th Floor), Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota. 5. The Court reserves the right to schedule an additional status conference as necessary. Signed by Judge Donovan W. Frank on 4/21/2015. (BJS) (Entered: 04/21/2015)
04/22/2015	<u>422</u>	NOTICE of Appearance by Nathan A Brennaman on behalf of Minnesota Department of Human Services, Minnesota, State of. (Brennaman, Nathan) (Entered: 04/22/2015)
04/22/2015	<u>423</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>422</u> Notice of Appearance (Brennaman, Nathan) (Entered: 04/22/2015)
04/22/2015	<u>424</u>	REPORT (<i>Minnesota Olmstead Subcabinet Report to Court – Status Update Jan. 1–Feb. 28, 2015 – Report No. 7</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Affidavit Concerning MN Olmstead Subcabinet Report to Court, Report No. 7)(Brennaman, Nathan) (Entered: 04/22/2015)
04/22/2015	<u>425</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>417</u> Letter to District Judge (Noss, Anthony) (Entered: 04/22/2015)

04/24/2015	<u>426</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>424</u> Report, (Brennaman, Nathan) (Entered: 04/24/2015)
04/27/2015	<u>427</u>	MEMORANDUM by Minnesota Disability Law Center <i>Memorandum of Amicus Curiae Minnesota Disability Law Center in Support of Plaintiffs' Objections to State's Proposed Olmstead Plan</i> filed by Minnesota Disability Law Center. DOCUMENT/EXHIBIT A FILED IN ERROR–WILL REFILE AS SEPARATE EVENT. (Attachments: # <u>1</u> Exhibit A)(Hoopes, Pamela) Modified text on 4/27/2015 (MMP). Modified text on 4/27/2015 (lmb). (Entered: 04/27/2015)
04/28/2015	<u>428</u>	EXHIBIT re <u>427</u> Memorandum, <i>Exhibit A</i> by Minnesota Disability Law Center. (Hoopes, Pamela) (Entered: 04/28/2015)
04/28/2015	<u>429</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services <i>Letter re: Response to Court Monitor's April 14, 2015 Report to the Court: Verification of Representations by the State. (Doc. No. 414.)</i> . (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B–D, # <u>3</u> Affidavit of Michael Tessneer, # <u>4</u> Affidavit of Margaret Fletcher–Booth)(Noss, Anthony) (Entered: 04/28/2015)
04/28/2015	<u>430</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 04/28/2015)
04/29/2015	<u>431</u>	REPORT TO THE COURT: Response to Parties' Comments on Verification Report signed by David Ferleger, Court Monitor. (BJS) (Entered: 04/29/2015)
05/04/2015	<u>432</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter re Response to "Memorandum of Amicus Curiae Minnesota Disability Law Center in Support of Plaintiffs' Objections to State's Proposed Olmstead Plan" (Dkt 427)</i>). (Noss, Anthony) (Entered: 05/04/2015)
05/04/2015	<u>433</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 05/04/2015)
05/04/2015	<u>434</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>432</u> Letter to District Judge, (Noss, Anthony) (Entered: 05/04/2015)
05/06/2015	<u>435</u>	ORDER. 1. The Court DECLINES TO ADOPT the States Proposed Olmstead Plan (Doc. No. [401–1]). 2. The parties shall submit a revised Olmstead Plan to the Court by July 10, 2015. The revised Olmstead Plan shall encompass the requirements of the Settlement Agreement and prior orders of this Court and shall respond to previously identified gaps and deficiencies in the States proposed Olmstead Plan. 3. In lieu of contempt and other sanctions at this time, the Court requires Defendants to fulfill their obligations in a timely manner for the Courts review and approval; attend any status conferences that may be scheduled by the undersigned or Magistrate Judge Becky R. Thorson regarding the Olmstead Plan; and actively seek input from the consultants to the parties, Dr. Colleen Wieck and Roberta Opheim, in this process. 4. The Court expressly reserves the right to issue an order to show cause or impose sanctions, depending upon the status of compliance with the specific provisions of the Settlement Agreement and the Courts orders, as noted above. (Written Opinion). Signed by Judge Donovan W. Frank on 5/6/2015. (BJS) (Entered: 05/06/2015)
05/11/2015	<u>436</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$60,129.64 drawn on this litigations Registry account. Signed by Judge Donovan W. Frank on 5/11/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 05/11/2015)
05/13/2015	<u>437</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK dated May 5, 2015, from Colleen Wieck, Ph.D, Executive Director, The Minnesota Governor's Council on Developmental Disabilities in re the Court's Order at <u>415</u> . (BJS) (Entered: 05/13/2015)
05/13/2015	<u>438</u>	LETTER TO DISTRICT JUDGE DONOVAN W. FRANK dated May 5, 2015, from Roberta C. Opheim, Ombudsman, Office of the Ombudsman for Mental Health and Developmental Disabilities in Re the Court's Order at <u>415</u> . (BJS) (Entered: 05/13/2015)

05/13/2015	<u>439</u>	REPORT TO THE COURT: Setback Regarding Modernization of Rule 40 by David Ferleger, Court Monitor. (Attachments: # <u>1</u> Attachment A – The April 22, 2015 ALJ Decision)(BJS) Modified text on 5/14/2015 (LPH). (Entered: 05/13/2015)
05/15/2015	<u>440</u>	REPORT (<i>Defendants' Eighth Compliance Update Report, Affidavits, and Exhibits</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Affidavits Concerning Verification of Defendants Eighth Compliance Update Report and Exhibits, # <u>2</u> Exhibit(s) Index, # <u>3</u> Exhibit(s) 186 (redacted), # <u>4</u> Placeholder for Exhibit 186 (filed under seal), # <u>5</u> Placeholder for Exhibits 187 and 188 (filed under seal), # <u>6</u> Exhibit(s) 189, # <u>7</u> Exhibit(s) 190, # <u>8</u> Exhibit(s) 191, # <u>9</u> Exhibit(s) 192)(Noss, Anthony) Sealed documents received on 5/15/2015 (JGK). (Entered: 05/15/2015)
05/18/2015	<u>441</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>440</u> Report., (Noss, Anthony) (Entered: 05/18/2015)
05/19/2015	<u>442</u>	RECEIPT re: check number # 00439471 in the amount of \$60,129.64. (las) Qc'd on 5/19/2015 (AKL). (Entered: 05/19/2015)
05/20/2015	<u>443</u>	LETTER TO COUNSEL from Judge Donovan W. Frank. (Attachments: # <u>1</u> Attachment 1, # <u>2</u> Attachment 2, # <u>3</u> Attachment 3)(BJS) (Entered: 05/20/2015)
05/20/2015	<u>444</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Noss, Anthony) (Entered: 05/20/2015)
05/21/2015	<u>445</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 05/21/2015)
05/27/2015	<u>446</u>	MOTION for Relief from Judgment by Minnesota Department of Human Services. (Ikeda, Scott) (Entered: 05/27/2015)
05/27/2015	<u>447</u>	NOTICE OF HEARING ON MOTION <u>446</u> MOTION for Relief from Judgment : at date and time to be determined. (Ikeda, Scott) (Entered: 05/27/2015)
05/27/2015	<u>448</u>	MEMORANDUM in Support re <u>446</u> MOTION for Relief from Judgment (<i>Placeholder for Memorandum filed under seal</i>) filed by Minnesota Department of Human Services. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate (for Memorandum in Support of Motion for Relief from Judgment filed under seal))(Ikeda, Scott) Sealed document received on 5/28/2015 (JGK). (Entered: 05/27/2015)
05/27/2015	<u>449</u>	MEET and CONFER STATEMENT re <u>446</u> Motion for Relief from Judgment filed by Minnesota Department of Human Services. (Ikeda, Scott) (Entered: 05/27/2015)
05/27/2015	<u>450</u>	AFFIDAVIT of Margaret Fletcher–Booth in SUPPORT OF <u>446</u> MOTION for Relief from Judgment (<i>Placeholder for Fletcher–Booth Affidavit filed under seal</i>) filed by Minnesota Department of Human Services. (Attachments: # <u>1</u> Placeholder for Exhibits 1–6 filed under seal to Fletcher–Booth Affidavit filed under seal)(Ikeda, Scott) Sealed document received on 5/27/2015 (JGK). (Entered: 05/27/2015)
05/27/2015	<u>451</u>	AFFIDAVIT of Gerald Nord in SUPPORT OF <u>446</u> MOTION for Relief from Judgment (<i>Placeholder for Affidavit of Gerald Nord filed under seal</i>) filed by Minnesota Department of Human Services. (Ikeda, Scott) Sealed document received on 5/27/2015 (JGK). (Entered: 05/27/2015)
05/27/2015	<u>452</u>	AFFIDAVIT of Peter S. Miller in SUPPORT OF <u>446</u> MOTION for Relief from Judgment (<i>Placeholder for Affidavit of Peter S. Miller filed under seal</i>) filed by Minnesota Department of Human Services. (Ikeda, Scott) Sealed document received on 5/27/2015 (JGK). (Entered: 05/27/2015)
05/27/2015	<u>453</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Minnesota Department of Human Services re <u>446</u> MOTION for Relief from Judgment (Ikeda, Scott) (Entered: 05/27/2015)
05/28/2015	<u>454</u>	MEMORANDUM in Opposition re <u>446</u> MOTION for Relief from Judgment filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 05/28/2015)

05/28/2015	<u>455</u>	AFFIDAVIT of Shamus P. O'Meara in OPPOSITION TO <u>446</u> MOTION for Relief from Judgment filed by All Plaintiffs. (Azman, Mark) Sealed document received on 5/29/2015 (JGK). (Entered: 05/28/2015)
05/28/2015	<u>456</u>	Minute Entry for proceedings held before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson: Status Conference held on 5/28/2015. See attached minutes for upcoming dates before Magistrate Judge Becky R. Thorson. (Court Reporter NA) (BJS) (Entered: 05/29/2015)
05/29/2015	<u>457</u>	ORDER. 1. The State of Minnesota shall be temporarily excused from filing status reports, including the bi-monthly Compliance Update Report and the Minnesota Olmstead Subcabinet Report to the Court, for the months of June and July 2015. 2. The Court reserves the right to address the resumption of status reports at a later date. Signed by Judge Donovan W. Frank on 5/29/2015. (BJS) (Entered: 05/29/2015)
06/02/2015	<u>458</u>	ORDER. 1. The Court has set a hearing on State Defendants' motion (Doc. No. <u>446</u>) for June 23, 2015, at 2:00 p.m., in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101. 2. The Court anticipates that, absent transitional planning that would move W.O. from the Minnesota Security Hospital by agreement of DHS and all involved parties, W.O. will remain at the Minnesota Security Hospital. 3. Absent a substantial change in circumstances, the Court will request a report on W.O. from the Ombudsman for Mental Health and Developmental Disabilities, DHS, and any involved mental health professionals at the June 23, 2015 hearing. This report shall include information regarding W.O.'s housing conditions; protections from abuse, seclusion, and restraint; treatment; and any recreational, educational, and social services or programming. Signed by Judge Donovan W. Frank on 6/2/2015. (BJS) (Entered: 06/02/2015)
06/05/2015	<u>459</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Telephone Conference held on 6/5/2015. Status held. Agenda will be circulated for the June 10, 2015 meeting. (JDF) (Entered: 06/08/2015)
06/09/2015	<u>460</u>	NOTICE OF SETTLEMENT MEETING Telephone conference set for 6/10/2015 09:00 AM in Courtroom 3A (STP) before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 6/5/15. (JDF) (Entered: 06/09/2015)
06/10/2015	<u>461</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 6/10/2015. (LPH) (Entered: 06/11/2015)
06/18/2015	<u>462</u>	ORDER. 1. The parties are currently in mediation. During this mediation period, the parties' obligations under the Settlement Agreement (Doc. No. <u>104</u>) and other court orders relating to compliance remain in place; however, the parties' reporting obligations to the Court are STAYED. The Court Monitor's reporting is also STAYED. 2. The Court Monitor will remain available to the Court during the mediation period. Further, by request, the parties, Roberta Opheim, and/or Dr. Colleen Wieck may seek the assistance or consultation of Mr. Ferleger during the mediation period. Such requests shall be submitted to the Chambers of U.S. Magistrate Judge Becky R. Thorson by e-mail. Signed by Judge Donovan W. Frank on 6/18/2015. (BJS) (Entered: 06/18/2015)
06/23/2015	<u>463</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Motion Hearing held on 6/23/2015 re <u>446</u> MOTION for Relief from Judgment filed by Minnesota Department of Human Services. Matter under advisement; written order to issue. (Court Reporter Jeanne Anderson) (BJS) (Entered: 06/24/2015)
06/24/2015	<u>464</u>	ORDER 1. Defendants' motion (Doc. No. <u>446</u>) is DENIED WITHOUT PREJUDICE. 2. The Department of Human Services, in consultation with the Ombudsman for Mental Health and Developmental Disabilities, shall create a provisional discharge plan for W.O. for his transfer from the Minnesota Security Hospital. This plan shall be submitted to the Court, with a copy to Plaintiffs' counsel, by July 31, 2015. 3. The Department of Human Services shall submit Dr. Gary LaVigna's report on W.O. to the Court as soon as the report becomes available. 4. The parties shall attend a status conference on August 4, 2015, at 9:00 a.m., to provide the Court with an update regarding the status of W.O., including, but not limited to, the following issues: (1) whether W.O. has been moved from the Minnesota Security Hospital; and (2) if W.O. has not been moved from the Minnesota Security Hospital, what placement options

		<p>have been identified and pursued and what transition plans have been made with respect to W.O. In addition to the parties, the Court invites the Ombudsman for Mental Health and Developmental Disabilities, the county officials involved in the state proceeding, including the Dakota County attorney and defense counsel, as well as W.O.s social workers and any involved mental health professionals, to the August 4, 2015 status conference. The conference will take place in the 7th Floor Conference Room of the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101.5. As the Court indicated at the hearing, it is the expectation of the Court that there will be collaboration between the parties, the Ombudsman for Mental Health and Developmental Disabilities, and the involved county officials with respect to W.O.'s situation. Separately, it is the expectation of the Court that the Department of Human Services will provide an analysis of the names of individuals who are high or frequent users of crisis services, hospitalizations, and inpatient psychiatric units to Plaintiffs and to the Ombudsman for Mental Health and Developmental Disabilities by July 22, 2015. Finally, as the Court has stated in previous Orders, it is the expectation of the Court that the Department of Human Services will seek the input of the Ombudsman for Mental Health and Developmental Disabilities and the Executive Director of the Minnesota Governor's Council on Developmental Disabilities in this process. (See, e.g., Doc. No. 435 ("May 6, 2015 Order") at 9; Doc. No. 340 ("September 3, 2014 Order") at 4.)(Written Opinion). Signed by Judge Donovan W. Frank on 6/24/2015. (BJS) (Entered: 06/24/2015)</p>
06/25/2015	<u>465</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Telephone Status Conference held on 6/25/2015. (las) (Entered: 06/26/2015)
06/26/2015	<u>466</u>	ORDER/NOTICE OF SETTLEMENT MEETING – Settlement Conference set for 7/6/2015 and 07/07/2015 09:00 AM in Courtroom 3A (STP) before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 6/26/2015. (las) (Entered: 06/26/2015)
07/01/2015	<u>467</u>	TEXT ONLY ORDER: The Court has been informed that DHS has made statements suggesting that there is no longer a Court Monitor in this matter. The Court's June 18, 2015 Order (Doc. No. <u>462</u>) expressly stated that during this mediation period, reporting by the parties and the Court Monitor is stayed, but the parties' obligations under the Settlement Agreement and subsequent Court Orders relating to compliance remain in place. In staying the reporting requirements, the Court released DHS from cumbersome reporting, but did not release DHS from complying with the Settlement Agreement and this Court's Orders. Please be advised that this topic will be discussed during the mediation meeting with Magistrate Judge Becky R. Thorson on July 6, 2015. Signed by Judge Donovan W. Frank on 7/1/2015. (BJS) (Entered: 07/01/2015)
07/02/2015	<u>468</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 07/02/2015)
07/02/2015	<u>469</u>	TRANSCRIPT of Motions Hearing held on 06/23/2015 before Judge Donovan W. Frank. (89 pages). Court Reporter: Jeanne Anderson (E–mail: Jeanne_Anderson@mnd.uscourts.gov / Telephone: 651–848–1221). Redaction Request due 7/23/2015. Redacted Transcript Deadline set for 8/3/2015. Release of Transcript Restriction set for 9/30/2015. For information on redaction procedures, please review <u>Local Rule 5.5</u> . (JMA) (Entered: 07/02/2015)
07/06/2015	<u>470</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 7/6/2015. (AKL) (Entered: 07/07/2015)
07/07/2015	<u>471</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 7/7/2015. (las) (Entered: 07/09/2015)
07/09/2015	<u>472</u>	ORDER. The July 10, 2015 deadline for the State of Minnesota to submit a revised Olmstead Plan (see Doc. No. <u>435</u> at 9) is EXTENDED to August 10, 2015. The STAY of the reporting requirements of the parties and the Court Monitor during the pendency of the mediation period (see Doc. No. <u>462</u> at 2) is EXTENDED to August 10, 2015. The specific reporting requirements of the parties that are stayed include the bi–monthly Defendants Compliance Update Report and the bi–monthly Olmstead Subcabinet Report (see Doc. No. <u>457</u> at 2). In extending the stay of the parties reporting requirements, the Court is not releasing the parties from obligations to comply with the Settlement Agreement (Doc. No. <u>104</u>) or other Court Orders. The

		Court reserves the right to address the resumption of status reports or any modified reporting obligations by separate Order. Signed by Judge Donovan W. Frank on 07/09/2015. (RLB) (Entered: 07/09/2015)
07/10/2015	<u>473</u>	NOTICE/ORDER: Settlement Conference in the Fifth Floor Conference Room (STP) set for 7/20/2015 09:30 AM before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 7/10/15. (JAM) (Entered: 07/10/2015)
07/13/2015	<u>474</u>	ORDER. Pursuant to the terms of the Order of March 19, 2014, the Clerk shall issue a check to David Ferleger in the amount of \$151,655.29 drawn on this litigation's registry account. Signed by Judge Donovan W. Frank on 7/13/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 07/13/2015)
07/20/2015	<u>475</u>	RECEIPT re: check number 00442576 in the amount of \$151,655.29. (las) DOCUMENT QC'd by KT on 7/21/15. (kt) (Entered: 07/21/2015)
07/20/2015	<u>476</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Meeting held on 7/20/2015. (las) (Entered: 07/23/2015)
07/27/2015	<u>477</u>	NOTICE/ORDER: Settlement Conference set for 8/4/2015 in third floor conference room 01:30 PM before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 7/27/15. (JAM) (Entered: 07/27/2015)
07/28/2015	<u>478</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Noss, Anthony) (Entered: 07/28/2015)
07/28/2015	<u>479</u>	RECEIPT number 44641084594 in the amount of \$463,671.00 issued to State of Minnesota. (las) Qc'd on 7/30/2015 (AKL). (Entered: 07/29/2015)
07/30/2015	<u>480</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Noss, Anthony) (Entered: 07/30/2015)
08/03/2015	<u>481</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter filed pursuant to Order dated 3-19-14 (Doc. 286)</i>). (Noss, Anthony) (Entered: 08/03/2015)
08/04/2015	<u>482</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement meeting held on 8/4/2015. (las) (Entered: 08/05/2015)
08/04/2015	<u>483</u>	AMENDED Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement meeting held on 8/4/2015. (las) (Entered: 08/06/2015)
08/04/2015	<u>492</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 8/4/2015. (Court Reporter NA) (BJS) (Entered: 08/17/2015)
08/06/2015	<u>484</u>	ORDER/NOTICE OF SETTLEMENT MEETING – Settlement Conference set for 8/24/2015 in third floor conference room 09:30 a.m. before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 8/6/2015. (las) (Entered: 08/06/2015)
08/10/2015	<u>485</u>	ORDER. 1. Defendant DHS' formal objections to Invoice Number 377 regarding the charges in the amounts of \$270, \$406.25, and \$125 for billing-related administrative review are GRANTED. 1 Accordingly, the Court strikes those three line item entries from the Invoice. 2. The Court Monitor's Invoice Number 377 is APPROVED IN PART, consistent with the above provision. 3. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$4,873.75 drawn on this litigation's registry account, pursuant to the terms of the Court's March 19, 2014 Order. Signed by Judge Donovan W. Frank on 8/10/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 08/10/2015)
08/10/2015	<u>486</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Part 1 of 2</i>). (Attachments: # <u>1</u> Minnesota Olmstead Plan, # <u>2</u> Appendix C (pp.1-236), # <u>3</u> Appendix C (pp.237-314), # <u>4</u> Appendix C (pp.315-465))(Noss, Anthony) (Entered: 08/10/2015)
08/10/2015	<u>487</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Part 2 of 2</i>). (Attachments: # <u>1</u> Appendix C (pp.466-710), # <u>2</u> Appendix C (pp. 711-831), # <u>3</u> Appendix C (pp. 832-927), # <u>4</u> Appendix C (pp. 928-1002))(Noss, Anthony) (Entered: 08/10/2015)

08/10/2015	<u>488</u>	DOCUMENT FILED IN ERROR – REFILED – LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Olmstead Plan Action Items Crosswalk with August Plan Attachment to Letter</i>). (Noss, Anthony) Modified on 8/11/2015 (JAM). (Entered: 08/10/2015)
08/10/2015	<u>489</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>Olmstead Plan Action Items Crosswalk with August Plan Attachment to Letter</i> . (Attachments: # <u>1</u> Olmstead Plan Action Items Crosswalk with August Plan Attachment to Letter)(Noss, Anthony) (Entered: 08/10/2015)
08/11/2015	490	TEXT ONLY ORDER: On August 10, 2015, the State of Minnesota submitted a revised Olmstead Plan to the Court. (See Doc. No. 486–1.) Plaintiffs' Counsel shall submit any comments or objections to the revised Olmstead Plan by August 28, 2015. Signed by Judge Donovan W. Frank on 8/11/2015. (BJS) (Entered: 08/11/2015)
08/12/2015	<u>491</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Amended Version of Letter Filed on August 10, 2015</i>). (Noss, Anthony) (Entered: 08/12/2015)
08/19/2015	<u>493</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 08/19/2015)
08/19/2015	<u>494</u>	ORDER. Defendant Department of Human Services' recommendation that W.O. be discharged from his current placement at the Minnesota Security Hospital and be transitioned to one of the four twelve–bed buildings on the Cambridge campus until an appropriate community placement can be developed (see Doc. No. <u>480</u>) is ADOPTED IN PART as follows: a. The Court ADOPTS the recommendation that W.O. be discharged from the Minnesota Security Hospital. However, W.O.'s discharge is STAYED pending Defendant Department of Human Services presenting a suitable short–term placement option for W.O. to the Court. b. The Court DENIES the recommendation that W.O. be transitioned from the Minnesota Security Hospital to one of the four twelve–bed buildings on the Cambridge campus until an appropriate community placement can be developed. c. Defendant Department of Human Services should be prepared to discuss the topic of W.O.'s transition and short–term placement options at the August 24, 2015 meeting with Magistrate Judge Becky R. Thorson. Defendant Department of Human Services should be aware that the Court finds that the Cambridge campus is not a suitable placement option for W.O. Accordingly, Defendant Department of Human Services should research, identify, and present other short–term placement options for W.O. at that meeting. (See Order for additional information and details.) Signed by Judge Donovan W. Frank on 8/19/2015. (BJS) (Entered: 08/19/2015)
08/20/2015	495	TEXT ONLY ORDER: On August 10, 2015, the State of Minnesota submitted a revised Olmstead Plan to the Court. (See Doc. No. 486–1.) On August 19, 2015, Plaintiffs' Counsel submitted its responses and objections to the revised Olmstead Plan. (See Doc. No. 493.) The Court invites Defendant Department of Human Services to submit a response to the objections raised by Plaintiffs' Counsel no later than August 27, 2015. Signed by Judge Donovan W. Frank on 8/20/2015. (BJS) (Entered: 08/20/2015)
08/21/2015	<u>496</u>	RECEIPT re: check number 00443934 in the amount of \$4,873.75. (las) Qc'd on 8/26/2015 (AKL). (Entered: 08/21/2015)
08/24/2015	<u>497</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 8/24/2015. (lmb) (Entered: 08/25/2015)
08/27/2015	<u>503</u>	LETTER TO DISTRICT JUDGE. (las) (Entered: 08/28/2015)
08/28/2015	<u>498</u>	MOTION to Appear as Amicus Curiae by Ivan M. Levy. (Ursu, John) (Entered: 08/28/2015)
08/28/2015	<u>499</u>	MEMORANDUM in Support re <u>498</u> MOTION to Appear as Amicus Curiae filed by Ivan M. Levy. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ursu, John) (Entered: 08/28/2015)
08/28/2015	<u>500</u>	MEET and CONFER STATEMENT re <u>498</u> Motion to Appear as Amicus Curiae filed by Ivan M. Levy. (Ursu, John) (Entered: 08/28/2015)

08/28/2015	<u>501</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Ivan M. Levy re <u>498</u> MOTION to Appear as Amicus Curiae (Ursu, John) (Entered: 08/28/2015)
08/28/2015	<u>502</u>	ORDER GRANTING MOTION OF IVAN M. LEVY FOR LEAVE TO PARTICIPATE AS AMICUS CURIAE. 1. Ivan M. Levy's Motion for Leave to Participate as Amicus Curiae (Doc. No. <u>498</u>) is GRANTED. 2. Ivan M. Levy is granted leave to file an amicus brief not to exceed 2,500 words by September 14, 2015. Signed by Judge Donovan W. Frank on 8/28/2015. (BJS) (Entered: 08/28/2015)
08/31/2015	<u>504</u>	ORDER OF REASSIGNMENT OF RELATED CASES that 15-cv-3439 (RHK/FLN) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. Signed by Judge Donovan W. Frank and Judge Richard H. Kyle on 8/31/2015. (lmb) (Entered: 09/01/2015)
09/11/2015	<u>505</u>	ORDER/NOTICE OF SETTLEMENT MEETING: Settlement meeting set for 9/23/2015 09:30 AM in a Third Floor Conference Room, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 9/11/2015. (ALM) (Entered: 09/11/2015)
09/14/2015	<u>506</u>	BRIEF OF AMICUS CURIAE IVAN M. LEVY filed by Ivan M. Levy. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ursu, John) (Entered: 09/14/2015)
09/16/2015	<u>507</u>	TEXT ONLY ORDER: Should the parties wish to respond to the Brief of Amicus Curiae Ivan M. Levy (Doc. No. 506), the Court grants leave to file responses not to exceed 1,250 words by 5:00 p.m. on September 18, 2015. Signed by Judge Donovan W. Frank on 9/16/2015. (BJS) (Entered: 09/16/2015)
09/18/2015	<u>508</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter response to Brief of Amicus Curiae Ivan M. Levy (Doc. 506)</i>). (Noss, Anthony) (Entered: 09/18/2015)
09/23/2015	<u>509</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 9/23/2015. (ALM) (Entered: 09/24/2015)
09/29/2015	<u>510</u>	ORDER. 1. The Court APPROVES the State's Olmstead Plan (Doc. No. <u>486</u> -1). 2. The Court reserves ruling on the approval of the Olmstead Plan's implementation plan because corresponding workplans are not yet submitted to the Court. (See Doc. No. <u>486</u> -1 at 16.) Once these workplans are submitted, the Court will review and approve the implementation plan based on the recommendations and input of Magistrate Judge Becky R. Thorson. 3. The Court reserves the right to exercise its continuing jurisdiction with respect to the revised Olmstead Plan to ensure that compliance with the Settlement Agreement is verified going forward. This paragraph contemplates that the Court will continue to carry out its oversight responsibility to oversee the State's efforts in following through on the significant commitments it has made. (Written Opinion). Signed by Judge Donovan W. Frank on 9/29/2015. (BJS) Modified text on 9/30/2015 (lmb). (Entered: 09/29/2015)
09/30/2015	<u>511</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s))(Azman, Mark) (Entered: 09/30/2015)
10/05/2015	<u>512</u>	ORDER/NOTICE OF SETTLEMENT MEETING: Settlement meeting set for 10/14/2015 09:30 AM in Third Floor Conference Room, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 10/5/2015. (ALM) (Entered: 10/05/2015)
10/06/2015	<u>513</u>	REVIEW OF INVOICES SUBMITTED BY THE JENSEN SETTLEMENT AGREEMENT COURT MONITOR AND KARSJENS LITIGATION TECHNICAL ADVISOR dated September 29, 2015. (BJS) (Entered: 10/07/2015)
10/07/2015	<u>514</u>	LETTER from David Ferleger dated October 7, 2015, in Re: Review of Invoices Submitted by the Jensen Settlement Agreement Court Monitor and Karsjens Litigation Technical Advisor. (BJS) (Entered: 10/07/2015)
10/09/2015	<u>515</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Cover letter from Commissioner Jesson regarding Olmstead Plan's Workplans</i>). (Attachments: # <u>1</u> Cover Letter to Olmstead Plan Workplans, # <u>2</u>

		Olmstead Plan Workplans)(Noss, Anthony) (Entered: 10/09/2015)
10/14/2015	<u>516</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement meeting held on 10/14/2015. (ALM) (Entered: 10/15/2015)
10/15/2015	<u>517</u>	ORDER/NOTICE OF SETTLEMENT MEETING: Settlement meeting set for 10/26/2015 09:30 AM in the Fifth Floor Conference Room, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 10/15/2015. (ALM) (Entered: 10/15/2015)
10/23/2015	<u>518</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$8,212.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 10/23/2015. (Attachments: # <u>1</u> Attachment A)(BJS) (Entered: 10/23/2015)
10/26/2015	<u>519</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement Conference held on 10/26/2015. (lmb) (Entered: 10/27/2015)
11/02/2015	<u>520</u>	RECEIPT re: check number 00448068 in the amount of \$8,212.50. (ALM) Document QC'd on 12/17/2015 (ALM). (Entered: 11/02/2015)
11/06/2015	<u>521</u>	ORDER re <u>515</u> . The Court APPROVES the States Olmstead Plan Workplans. (Doc. No. [515-2].) See Order for details. Signed by Judge Donovan W. Frank on 11/06/2015. (RLB) (Entered: 11/06/2015)
11/09/2015	<u>522</u>	LETTER TO MAGISTRATE JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>Letter from Mary Tinglerthal, Chair, Olmstead Subcabinet, with attachments</i> . (Noss, Anthony) (Entered: 11/09/2015)
11/12/2015	<u>523</u>	LETTER TO MAGISTRATE JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>(Letter from Mary Tinglerthal, Chair, Olmstead Subcabinet with attachments)</i> . (Noss, Anthony) (Entered: 11/12/2015)
11/18/2015	<u>524</u>	DOCUMENT FILED IN ERROR--WILL REFILE. STIPULATION <i>for Joint Motion for Negotiated Attorneys' Fees</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. Jointly Signed by Minnesota Department of Human Services. (O'Meara, Shamus) Modified text on 11/18/2015 (lmb). (Entered: 11/18/2015)
11/18/2015	<u>525</u>	Joint MOTION for Attorney Fees by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (O'Meara, Shamus) (Entered: 11/18/2015)
11/20/2015	<u>526</u>	ORDER.1. The Joint Motion for Negotiated Attorneys' Fees to Class Counsel (Doc. No. <u>525</u>) is hereby GRANTED. 2. This Motion resolves the claims for attorneys' fees, costs, and disbursements made and incurred by Plaintiffs, on behalf of the Settlement Class, and represents the full and final settlement of attorneys' fees, costs, and disbursements related to issues of concern and non-compliance raised by Plaintiffs, on behalf of the Settlement Class, with regard to the Settlement Agreement through final disposition of the Settlement Agreement or the above-captioned matter, whichever comes later, except for requests or claims for reimbursement of attorneys' fees, costs, and disbursements incurred from the date of this Order due to proven intentional and willful misconduct which constitutes substantial non-compliance with the Settlement Agreement after the date of this Order. 3. Plaintiffs and the Settlement Class are not permitted to make any further request or claim for reimbursement of attorneys fees, costs, and disbursements, through the final disposition of the Settlement Agreement or the above-captioned matter, whichever comes later, except for requests or claims for reimbursement of attorneys' fees, costs, and disbursements incurred from the date of this Order due to proven intentional and willful conduct which constitutes substantial non-compliance with the Settlement Agreement after the date of this Order. 4. The notice requirements of Rule 23(h) of the Federal Rules of Civil procedure are not necessary and would be unduly burdensome in these circumstances where the negotiated attorneys' fees are sought in connection with post-settlement activities relating to non-monetary provisions of the Settlement Agreement and do not have any effect on the amounts awarded to Class Members by the Court. 5. Within ten (10) days of the date of this Order, the Department shall pay Fifty Thousand Dollars (\$50,000) to the law firm of O'Meara, Leer, Wagner & Kohl, P.A. as Settlement Class Counsel in

		this matter. Signed by Judge Donovan W. Frank on 11/20/2015. (BJS) (Entered: 11/20/2015)
11/25/2015	<u>527</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$3,667.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 11/25/2015. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 11/25/2015)
12/21/2015	<u>528</u>	RECEIPT re check number 00450238 in the amount of \$3,667.50, issued to Richard D. Sletten, Clerk. (ALM) QC'd on 1/20/2016 (JAM). (Entered: 12/21/2015)
01/05/2016	<u>529</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>letter from Charles E. Johnson, Deputy Commissioner</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Report to the Court – Status Update March 1, 2015 – September 30, 2015, Gap Report)(Noss, Anthony) (Entered: 01/05/2016)
02/01/2016	<u>530</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, to the Honorable Donovan W. Frank</i>). (Noss, Anthony) (Entered: 02/01/2016)
02/02/2016	<u>531</u>	REPORT <i>Jensen Settlement Agreement Comprehensive Plan of Action (CPA) – Ninth Compliance Update Report, Reporting Period: May 1–September 30, 2015</i> by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Placeholder for Jensen Settlement Agreement Comprehensive Plan of Action (CPA) – Ninth Compliance Update Report, Reporting Period: May 1–September 30, 2015 (non–redacted version), # <u>2</u> Placeholder for Identifier Key to Jensen Settlement Agreement Comprehensive Plan of Action (CPA) – Ninth Compliance Update Report, Reporting Period: May 1–September 30, 2015, # <u>3</u> Affidavits for Jensen Settlement Agreement Comprehensive Plan of Action (CPA) – Ninth Compliance Update Report, Reporting Period: May 1–September 30, 2015)(Noss, Anthony) Sealed documents received on 2/2/2016 (JGK). (Entered: 02/02/2016)
02/03/2016	<u>532</u>	ORDER/NOTICE OF SETTLEMENT MEETING: A settlement meeting with the attorneys on this case and those who have been invited separately by email will be held on February 23, 2016, starting at 9:30 a.m., in the Fifth Floor Conference Room, U.S. Courthouse, 316 North Robert Street, St. Paul, Minnesota, before United States Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 2/3/2016. (lmb) (Entered: 02/03/2016)
02/03/2016	<u>533</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>531</u> Report,,, (Noss, Anthony) (Entered: 02/03/2016)
02/10/2016	<u>536</u>	LETTER TO DISTRICT JUDGE, LETTER TO MAGISTRATE JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, DHS, regarding Court Monitor Invoice dated Feb.1, 2016</i>). (Noss, Anthony) Modified text on 2/10/2016 (lmb). (Entered: 02/10/2016)
02/10/2016	<u>537</u>	STATUS REPORT <i>Regarding Plaintiffs' Proposal for Reporting on Jensen Agreement</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Appendix A)(Azman, Mark) (Entered: 02/10/2016)
02/10/2016	<u>538</u>	STATUS REPORT <i>Regarding Plaintiffs' Proposal for Reporting on Olmstead Plan</i> by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) A)(Azman, Mark) (Entered: 02/10/2016)
02/12/2016	<u>539</u>	REQUEST (<i>Defendants' Proposal on Compliance Reporting</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Appendix A)(Noss, Anthony) (Entered: 02/12/2016)
02/12/2016	<u>540</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Commissioner Mary Tingerthal, Chair, Olmstead Subcabinet, with Attachments A–E</i>). (Attachments: # <u>1</u> Defendants' Proposal for Olmstead Plan Compliance Reporting, # <u>2</u> Exhibit(s) A (Quality Reporting Schedule for Olmstead Plan Measurable Goals))(Noss, Anthony) (Entered: 02/12/2016)

02/12/2016	<u>541</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Minnesota Department of Human Services, Minnesota, State of re <u>539</u> Request (<i>Certificate of Service on [Proposed] Order Regarding Defendants' Proposal on Compliance Reporting</i>) (Noss, Anthony) Modified text on 2/16/2016 (lmb). (Entered: 02/12/2016)
02/12/2016	<u>542</u>	CERTIFICATE OF SERVICE ON PROPOSED ORDER by Minnesota Department of Human Services, Minnesota, State of re <u>540</u> Letter to District Judge, (<i>Certificate of Service on [Proposed] Order Regarding Defendants' Proposal for Olmstead Plan Compliance Reporting</i>) (Noss, Anthony) Modified text on 2/16/2016 (lmb). (Entered: 02/12/2016)
02/18/2016	<u>543</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner</i>). (Noss, Anthony) (Entered: 02/18/2016)
02/22/2016	<u>544</u>	ORDER FOR REPORTING ON OLMSTEAD PLAN. 1. The Minnesota Department of Human Services ("DHS") shall submit to the Court, Plaintiffs' Class Counsel, the Ombudsman for Mental Health and Developmental Disabilities, and the Executive Director of the Minnesota Governor's Council on Developmental Disabilities ("Consultants") quarterly and annual status reports regarding Olmstead Plan implementation based on the schedule listed in the attached Exhibit A entitled "Quarterly Reporting Schedule for Olmstead Plan Measurable Goals." 2. The initial quarterly status report shall include data acquired by the Olmstead Implementation Office through the last day of January 2016, and shall be due on February 29, 2016. (See attached Exhibit A.) (See Order for additional information.) Signed by Judge Donovan W. Frank on 2/22/2016. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 02/22/2016)
02/22/2016	<u>545</u>	ORDER FOR REPORTING ON SETTLEMENT AGREEMENT. 1. The Minnesota Department of Human Services ("DHS") shall submit to the Court, Plaintiffs' Class Counsel, the Ombudsman for Mental Health and Developmental Disabilities, and the Executive Director of the Minnesota Governor's Council on Developmental Disabilities ("Consultants") exception, semi-annual, and annual Comprehensive Plan of Action ("CPA") reports based on the schedule listed in the attached Exhibit A entitled "Jensen Settlement Agreement Comprehensive Plan of Action Reporting Schedule. Appendix A." (See attached Exhibit A.) 2. Semi-annual reporting shall occur according to the following schedule: a. First semi-annual (January, February, March, April, May, June) CPA report due date August 31.2 b. Second semi-annual (July, August, September, October, November, December) CPA report due date February 28, or, in the case of a leap year, February 29. (See Order for additional information.)(Written Opinion). Signed by Judge Donovan W. Frank on 2/22/2016. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 02/22/2016)
02/23/2016	<u>556</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Settlement meeting held on 2/23/2016. (JDF) Modified text on 4/4/2016 (JDF). (Entered: 04/01/2016)
02/24/2016	<u>546</u>	ORDER. 1. Defendant DHS' formal objections to Invoice Number 384 (Doc. No. <u>536</u>) are OVERRULED. 2. The Court Monitors attached Invoice Number 384 is APPROVED. 3. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$5,997.70 drawn on this litigation's registry account, pursuant to the terms of the Court's March 19, 2014 Order. Signed by Judge Donovan W. Frank on 2/24/2016. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 02/24/2016)
02/29/2016	<u>547</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner regarding Minnesota Olmstead Subcabinet Quarterly Report on Measureable Goals, Feb. 22, 2016</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Measureable Goals, Feb. 22, 2016, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 02/29/2016)
02/29/2016	<u>548</u>	RECEIPT check number 00454747 in the amount of \$5,997.70. (las) Document QC'd on 3/2/2016 (JGK). Modified text on 3/3/2016 (las). (Entered: 03/01/2016)
03/14/2016	<u>549</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services. (las) Document QC'd by JGK on 3/23/2016 (JGK). (Entered: 03/15/2016)

03/14/2016	<u>550</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services. (Supplemental re: Letter <u>549</u>) (las) Document QC'd by JGK on 3/23/2016 (JGK). (Entered: 03/15/2016)
03/18/2016	<u>551</u>	ORDER. 1. Defendants' Verification Obligations. (See attached Exhibit A for a summary of the verification obligations discussed below.); 2. Changes to Subsequent Compliance Update Reports; 3. Court Monitoring. (See attached Exhibit B for a summary of the verification duties discussed below.) 4. Other Reporting Requirements (See Order for details on each ruling.) (Written Opinion). Signed by Judge Donovan W. Frank on 3/18/2106. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(BJS) (Entered: 03/18/2016)
03/18/2016	552	TEXT ONLY NOTICE: The Court will hold a Status Conference in this matter on Monday, June 6, 2016 at 1:00 PM in Courtroom 7C (STP) before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. The Status Conference will address the Olmstead Plan, the Jensen Settlement Agreement, and the Comprehensive Plan of Action. All counsel and the consultants shall appear. The Court may request the attendance of other participants separately by e-mail. The Court will issue a detailed order on the Status Conference Agenda at a later date. (BJS) (Entered: 03/18/2016)
03/31/2016	<u>553</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles Johnson, Deputy Commissioner enclosing Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2015 Compliance Annual Report</i>). (Attachments: # <u>1</u> Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2015 Compliance Annual Report, Reporting Period: January 1 December 31, 2015, # <u>2</u> Placeholder for Identifier Key to Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2015 Compliance Annual Report, Reporting Period: January 1 December 31, 2015, # <u>3</u> Affidavits to Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2015 Compliance Annual Report, Reporting Period: January 1 December 31, 2015)(Noss, Anthony) Received Sealed Document 3/31/2016. Modified on 4/1/2016 (JLW). (Entered: 03/31/2016)
03/31/2016	<u>554</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>553</u> Letter to District Judge,,, (Noss, Anthony) (Entered: 03/31/2016)
04/01/2016	555	TEXT ONLY ORDER: The deadline imposed in the Court's March 18, 2016 Order, (see Doc. No. <u>551</u> at 20, 23), for the Court Monitor, the designated DHS point person, the consultants, and Plaintiff's counsel to agree on the representative sampling for the Court Monitor's work is extended to Thursday, April 7, 2016, at 5:00 p.m. Signed by Judge Donovan W. Frank on 4/1/2016.(BJS) (Entered: 04/01/2016)
04/07/2016	<u>557</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$5,107.50 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 4/7/2016. (Attachments: # <u>1</u> Exhibit(s) A)(BJS) (Entered: 04/07/2016)
04/12/2016	<u>558</u>	ORDER. 1. Defendants will have until May 13, 2016 to submit an updated Olmstead Plan that incorporates their proposed goals for the remaining topic areas. 2. If the parties require further mediated discussions, they must contact Magistrate Judge Becky R. Thorson's Chambers before April 18, 2016 for scheduling. Signed by Judge Donovan W. Frank on 4/12/2016. (BJS) (Entered: 04/12/2016)
04/18/2016	<u>559</u>	ORDER/NOTICE OF SETTLEMENT MEETING – Settlement Conference set for 5/6/2016 09:30 AM in the Fifth Floor Conference Room, U.S. Courthouse, 316 North Robert Street, St. Paul before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 4/18/2016. (las) (Entered: 04/18/2016)
04/18/2016	560	TEXT ENTRY ONLY NOTICE: The Court hereby sets a telephone status conference with counsel for the parties on Thursday, April 21, 2016, at 9:00 am. Call-in instructions will be provided. (MSK) (Entered: 04/18/2016)
04/19/2016	<u>561</u>	RECEIPT re: check # 00457037 in the amount of \$5,107.50. (las) Document QC'd on 4/19/2016 (las). (Entered: 04/19/2016)
04/19/2016	562	TEXT ONLY ORDER: The deadline imposed in the Court's April 12, 2016 Order, (see Doc. No. 558 at 3), for the Defendants to submit an updated Olmstead Plan that incorporates their proposed goals for the two remaining topic areas is extended to June

		1, 2016. Signed by Judge Donovan W. Frank on 4/19/2016. (BJS) (Entered: 04/19/2016)
04/29/2016	<u>563</u>	TEXT ONLY ORDER: The deadline imposed in the Courts March 18, 2016 Order, (see <u>551</u> at 23), for the Court Monitor to complete his verification efforts relating to Mobile Teams and the Successful Life Project is extended to May 13, 2016. By this date, the Court Monitor shall submit a summary report to the Court no more than fifteen pages in length. Signed by Judge Donovan W. Frank on 04/29/2016. (RLB) (Entered: 04/29/2016)
05/11/2016	<u>564</u>	ORDER. 1. The parties shall attend a status conference on June 13, 2016, at 1:00 p.m., to provide the Court with an update on the status of W.O.'s transition from the Minnesota Security Hospital ("MSH"). This status conference will be held in the 7th Floor Conference Room of the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101. The undersigned and Magistrate Judge Becky R. Thorson will be present at the status conference. In addition, the Court invites the Ombudsman for Mental Health and Developmental Disabilities, the Executive Director of the Minnesota Governor's Council on Developmental Disabilities, W.O.'s social workers and any involved mental health professionals, and the county officials involved in the state proceeding, including the Dakota County attorney and defense counsel, to the June 13, 2016 status conference. These listed individuals or the parties may also suggest additional invitees for the Court's consideration. 2. Any participant in the June 13, 2016 status conference may submit an update to the Court in writing regarding W.O.s provisional discharge plan and transition plan, Person Centered Plan, or Individual Education Program Plan no later than June 6, 2016. 3. Between March 25, 2016 and April 12, 2016, the Court received letter submissions from the Ombudsman for Mental Health and Developmental Disabilities, the Department of Human Services, and Plaintiffs' Counsel regarding incidents that have occurred during W.O.s placement at MSH. Although the Court acknowledges the importance of the issues raised in these letters, the Court will not be addressing these letter submissions or the incidents discussed therein at the June 13, 2016 status conference. Signed by Judge Donovan W. Frank on 5/11/2016. (BJS) (Entered: 05/11/2016)
05/11/2016	<u>565</u>	REPORT TO THE COURT: Comprehensive Plan of Action – Evaluation Criteria 93 and 98 by Independent Consultant and Monitor David Ferleger. (BJS) (Entered: 05/11/2016)
05/16/2016	<u>566</u>	TEXT ONLY ORDER: The Status Conference on W.O.s transition from the Minnesota Security Hospital, (see <u>564</u>), is rescheduled to July 6, 2016 at 10:00 a.m. in the 7th Floor Conference Room of the Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota 55101. The deadline for participants to optionally submit updates in writing to the Court, (see id. at 4), is moved to June 29, 2016. Signed by Judge Donovan W. Frank on 05/16/2016. (RLB) (Entered: 05/16/2016)
05/17/2016	<u>567</u>	NOTICE of Withdrawal as Attorney (Brennaman, Nathan) (Entered: 05/17/2016)
05/24/2016	<u>568</u>	ORDER (see Order for details). Signed by Judge Donovan W. Frank on 05/24/2016. (RLB) (Entered: 05/24/2016)
05/27/2016	<u>569</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner Charles E. Johnson Regarding Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period – data acquired through April 30, 2016.</i> (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period – data acquired through April 30, 2016, # <u>2</u> Verification Regarding Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period – data acquired through April 30, 2016)(Noss, Anthony) (Entered: 05/27/2016)
05/27/2016	<u>570</u>	ORDER. Pursuant to and under the terms of the Order of March 19, 2014, the Clerk shall forthwith issue a check to David Ferleger in the amount of \$22,730.44 drawn on this litigation's Registry account. Signed by Judge Donovan W. Frank on 5/27/2016. (Attachments: # <u>1</u> Exhibit A)(BJS) (Entered: 05/27/2016)

05/31/2016	<u>571</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner Charles E. Johnson dated May 31, 2016 regarding updated Olmstead Plan</i>). (Attachments: # <u>1</u> Summary of Proposed June 2016 Updates to the Olmstead Plan, with Minnesotas Olmstead Plan, June 1, 2016 Update (black lined), # <u>2</u> Minnesotas Olmstead Plan, June 1, 2016 Update (clean version))(Noss, Anthony) (Entered: 05/31/2016)
05/31/2016	<u>572</u>	REPORT (<i>Jensen Settlement Agreement Comprehensive Plan of Action (CPA), Report to the Court In Response to March 18, 2016 Order (Doc. No. 551) Filed May 31, 2016</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Affidavit of Daniel J. Baker, Ph.D., NAADD-CC, Concerning Jensen Settlement Agreement Comprehensive Plan of Action (CPA), Report to the Court In Response to March 18, 2016 Order (Doc. No. 551) Filed May 31, 2016, # <u>2</u> Affidavit of Margaret Fletcher Booth, Ph.D. Concerning Jensen Settlement Agreement Comprehensive Plan of Action (CPA), Report to the Court In Response to March 18, 2016 Order (Doc. No. 551) Filed May 31, 2016)(Noss, Anthony) (Entered: 05/31/2016)
05/31/2016	<u>573</u>	EXHIBIT re <u>572</u> Report,, <i>Exhibits A and B to Jensen Settlement Agreement Comprehensive Plan of Action (CPA), Report to the Court In Response to March 18, 2016 Order (Doc. No. 551) Filed May 31, 2016</i> by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 05/31/2016)
06/06/2016	<u>574</u>	RECEIPT: Received from Richard D. Sletten, Clerk of the United States District Court, District of Minnesota; check number 00459934 in the amount of twenty two thousand seven hundred thirty dollars and forty four cents (\$22,730.44). (AKL) QC'd on 6/28/2016 (SAE). (Entered: 06/06/2016)
06/06/2016	<u>576</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 6/6/2016. (Court Reporter Jeanne Anderson) (BJS) (Entered: 06/07/2016)
06/07/2016	<u>575</u>	TEXT ONLY ORDER: Consistent with the Court's comments at the June 6, 2016 Status Conference in this matter, the parties shall submit letter submissions of no more than three pages summarizing their positions on the propriety of publicly filing letters submitted by the Ombudsman for Mental Health and Developmental Disabilities, the Department of Human Services, and Plaintiffs' Counsel. The parties shall articulate a legal rationale for whether the letters should be made public, kept private, or kept private in part. Any request for redactions must be specified in detail. Such letters shall be submitted to the Court no later than Monday, June 13th, 2016 at 5:00 p.m. Signed by Judge Donovan W. Frank on 6/7/2016. (BJS) (Entered: 06/07/2016)
06/17/2016	<u>577</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>Letter from Charles E. Johnson, Deputy Commissioner</i> . (Attachments: # <u>1</u> Letter from Commissioner Mary Tingerthal, Chair, Olmstead Subcabinet)(Noss, Anthony) (Entered: 06/17/2016)
06/21/2016	<u>578</u>	ORDER. 1. Jensen Settlement Agreement & Comprehensive Plan of Action a. External Reviewer Function i. The Court has received and reviewed the parties submissions and proposed orders regarding the External Reviewer function. Each party and the Consultants also had an opportunity to comment on these proposals during the June 6, 2016 Biannual Status Conference. The Court declines to adopt either proposed order. Absent agreement of the parties regarding whether or how to amend the External Reviewer function as set forth in the Jensen Settlement Agreement and the CPA, the Court concludes it is most appropriate to maintain the status quo. The External Reviewer function will continue to be governed by the provisions of the Jensen Settlement Agreement, the CPA, and prior orders of the Court. (See Doc. No. 136-1, Stipulated Class Action Settlement Agreement at 11-13; Doc. No. 212, April 25, 2013 Order at 6; Doc. No. 283, Second Amended Comprehensive Plan of Action at 13-14.) Thus, the Court Monitor will continue to fill the External Reviewer role for the purposes previously established by agreement of the parties. (See id.) ii. As directed under the Court's March 18, 2016 Order, the Court Monitor's duties in this regard, including reporting requirements, are currently stayed. (See Doc. No. 551 at 24.) The Court reserves the right to order that these duties resume or make further modifications to the Court Monitor's duties at any time consistent with the Court's exercise of its discretion. (See id.) iii. Nothing in this Order precludes the parties from further meeting and conferring or from submitting additional proposals or stipulations on the External Reviewer function. If the parties do so, the Court urges the parties to

		collaborate with the Consultants. (See Order for additional information.) Signed by Judge Donovan W. Frank on 6/21/2016. (BJS) (Entered: 06/21/2016)
07/06/2016	<u>579</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference on W.O. held on 7/6/2016. (Court Reporter NA) (BJS) (Entered: 07/13/2016)
07/22/2016	<u>580</u>	ORDER. 1. The Court's August 19, 2015 Order <u>494</u> addressing W.O.'s discharge from the Minnesota Security Hospital ("MSH") is hereby superseded. 2. The Court APPROVES of W.O.'s discharge from MSH and APPROVES of W.O.'s current community placement. 3. The Department of Human Services ("DHS") shall immediately notify the Court; Plaintiffs' Counsel; the Ombudsman for Mental Health and Developmental Disabilities and the Executive Director of the Minnesota Governor's Council on Developmental Disabilities (together, "Consultants"); and the Court Monitor if it contemplates moving W.O. from his current placement at any point in the future or if it intends to issue any variances regarding the placement of individuals committed solely as a person with a developmental disability to MSH. 4. On October 11, 2016, DHS shall provide the Court, Plaintiffs' Counsel, and the Consultants with a Non-Appeal Review updating the Court on W.O.'s status. This Non-Appeal Review shall include a status update on what DHS has done to facilitate W.O.'s transition to his community home, school placement, and access to necessary clinical services. 5. DHS shall provide the Consultants with any information the Consultants request regarding W.O. (e.g., W.O.'s Individual Education Program ("IEP") Plan, Person Centered Plan, or transition plan). 6. Any concerns of the Consultants regarding W.O. should be raised directly with DHS, copying the Court and Plaintiffs' Counsel. If a party seeks relief from the Court, the party should file an appropriate motion. 7. As the Court has stated in prior orders, it is the Court's expectation that there will be collaboration between the parties, the Consultants, and the involved county officials with respect to W.O.'s situation. 8. The Court reserves the right to address W.O.'s status at a future status conference or by separate order. Signed by Judge Donovan W. Frank on 07/22/2016. (RLB) (Entered: 07/22/2016)
08/01/2016	<u>581</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner re: New Olmstead Plan Workplans</i>). (Attachments: # <u>1</u> Olmstead Plan Workplans for the June 1, 2016 Update – July 29, 2016)(Noss, Anthony) (Entered: 08/01/2016)
08/10/2016	<u>582</u>	ORDER OF REASSIGNMENT OF RELATED CASES that 16–cv–2623 (ADM/SER) has been reassigned to Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. Signed by Judge Donovan W. Frank on 8/8/2016 and Judge Ann D. Montgomery on 8/10/2016. (lmb) (Entered: 08/10/2016)
08/16/2016	<u>583</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Exhibit(s) A)(Ikeda, Scott) (Entered: 08/16/2016)
08/19/2016	<u>584</u>	TEXT ORDER: Any response by Plaintiffs to Defendants' August 16, 2016 letter requesting permission to file a motion to reconsider shall be filed by August 24, 2016. Defendant's request for permission to file their July 11, 2016 response to the Court's July 7, 2016 proposed order on ECF is GRANTED. The parties may file their July 11, 2016 responses on ECF on or before August 22, 2016. Signed by Judge Donovan W. Frank on 8/19/2016. (BJS) (Entered: 08/19/2016)
08/19/2016	<u>585</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Defs' 7–11–16 correspondence</i>). (Ikeda, Scott) (Entered: 08/19/2016)
08/24/2016	<u>586</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>in opposition to 08/16/16 DHS Request to Reconsider Order of July 22, 2016 [No. 580]</i> . (Azman, Mark) (Entered: 08/24/2016)
08/29/2016	<u>587</u>	ORDER. 1. The Court APPROVES the State's additional Olmstead Plan Workplans. 2. The Court notes that these Workplans cover only a "one to two–year time span," (Doc. No. 581), and "are intended to be flexible blueprints capable of modification when necessary to better accomplish strategies." (Id.) The Court reserves the right to exercise its continuing jurisdiction to ensure that compliance with the Settlement Agreement is verified going forward. The Court will continue to carry out its oversight

		responsibility as the Workplans are updated to oversee the States efforts in following through on the commitments it has made. Signed by Judge Donovan W. Frank on 8/29/2016. (BJS) (Entered: 08/29/2016)
08/31/2016	<u>588</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals Reporting Period data acquired through July 31, 2016 Date Report Approved by Subcabinet August 22, 2016, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 08/31/2016)
08/31/2016	<u>589</u>	REPORT (<i>Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2016 Semi Annual Compliance Report Reporting Period: October 1, 2015 June 30, 2016</i>) by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Placeholder for Identifier Key to Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2016 Semi Annual Compliance Report Reporting Period: October 1, 2015 June 30, 2016, # <u>2</u> Affidavits regarding Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2016 Semi Annual Compliance Report Reporting Period: October 1, 2015 June 30, 2016)(Noss, Anthony) Sealed document received on 8/31/2016. Modified on 9/19/2016 (JGK). (Entered: 08/31/2016)
09/07/2016	<u>590</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 09/07/2016)
09/12/2016	<u>591</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 09/12/2016)
09/14/2016	<u>592</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>589</u> Report,, (Noss, Anthony) (Entered: 09/14/2016)
09/21/2016	<u>593</u>	ORDER. 1. David Ferleger remains appointed as the Court Monitor and External Reviewer in this case. Pursuant to the Court's March 18, 2016 Order, the Court Monitor's duties directed under prior Orders, including periodic reporting requirements, were stayed. (Doc. No. 551 at 24.) The Court, however, stated that it "reserve[d] the right to direct the Court Monitor to investigate and verify other issues that may arise in the future," and that it "may issue subsequent orders on the scope of the Court Monitor's role." (Id.) 2. A separate Order will follow indicating the next steps the Court Monitor will take regarding the investigation and monitoring of Defendants' compliance with the Jensen Settlement Agreement and the CPA. Signed by Judge Donovan W. Frank on 9/21/2016. (BJS) (Entered: 09/21/2016)
09/21/2016	<u>594</u>	ORDER. 1. The State Defendants letter request for leave to file a motion for reconsideration of the Court's July 22, 2016 Order (Doc. No. <u>583</u>) is DENIED. Signed by Judge Donovan W. Frank on 9/21/2016. (BJS) (Entered: 09/21/2016)
09/29/2016	<u>595</u>	ORDER. 1. The Court's stay on the Court Monitor's duties is hereby lifted as follows. The Court Monitor shall review the Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2016 Semi-Annual Compliance Report, Reporting Period: October 1, 2015 June 30, 2016 (Doc. No. 589), along with prior reports that addressed ECs not covered in the most recent report, review the JSA and CPA, and provide the Court with a report that assesses substantial compliance with regard to all components of the JSA and CPA based on his review of those documents. In addition, the Court Monitor shall identify in its report to the Court those areas where he needs more information and his recommendation for obtaining that information. The Court Monitor's report should be provided to the Court by October 21, 2016. Signed by Judge Donovan W. Frank on 9/29/2016. (BJS) (Entered: 09/29/2016)
09/30/2016	<u>596</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to Honorable Donovan W. Frank Regarding Olmstead Plan Refreshed Workplans</i>). (Attachments: # <u>1</u> Letter from Mary Tingerthal, Chair, Olmstead Subcabinet, # <u>2</u> Olmstead Plan Workplans, September 28, 2016)(Noss, Anthony) (Entered: 09/30/2016)
10/26/2016	597	TEXT ONLY ENTRY ORDER: The Court is in receipt of the refreshed Olmstead Plan Workplans, filed on September 30, 2016. (Doc. No. <u>596</u> .) The next status conference on the Olmstead Plan will be held before the Court in January 2017. The

		Court will invite proposals for agenda items at a later date. Any concerns about the Workplans can be brought to the Court's attention at that time. Signed by Judge Donovan W. Frank on 10/26/2016. (BJS) (Entered: 10/26/2016)
10/26/2016	<u>598</u>	TEXT ONLY ENTRY ORDER: The Court has received the status report on W.O. as required pursuant to the Court's 7/22/16 Order (Doc. No. <u>580</u>). The Court does not request anything further at this time, except notes the requirements in the 7/22/16 Order remain in effect. If Plaintiffs, or anyone else on W.O.'s behalf, seek any relief with respect to W.O., they must do so by bringing a motion before the Court. Signed by Judge Donovan W. Frank on 10/26/2016. (BJS) (Entered: 10/26/2016)
10/26/2016	<u>599</u>	ORDER. 1. Absent further order of the Court, the Court Monitor shall meet about the substance of the Court Monitor's compliance assessment report with the parties or party representatives1 on or before November 14, 2016, to discuss the areas identified by the Court Monitor as being in non-compliance or inconclusive, and to discuss verification processes and concerns. 2. The Court Monitor may amend his compliance assessment report as he finds appropriate after the meet and confer and shall file his compliance assessment report (as amended) on or before November 28, 2016. 3. Defendants may thereafter file a response to the Court Monitor's compliance assessment report by December 12, 2016. 4. The next bi-annual Status Conference in this case will be held on December 22, 2016, at 1:00 p.m., in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. The Status Conference will include time for the parties, Court Monitor, and Court Consultants to present positions, comments, or recommendations regarding the current status of compliance or non-compliance of the Jensen Settlement Agreement and Comprehensive Plan of Action ("CPA"). Signed by Judge Donovan W. Frank on 10/26/2016. (BJS) (Entered: 10/26/2016)
11/10/2016	<u>600</u>	TEXT ONLY NOTICE of Resetting of Hearing: The bi-annual Status Conference previously scheduled for 12/22/2016, at 1:00 PM, Courtroom 7C, has been rescheduled to 1/05/2016 at 9:30 AM in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. The parties, Court Monitor, and Court Consultants may submit proposed agenda items to the Court no later than Thursday, December 15, 2016. Such proposals shall be submitted to the Chambers of Judge Donovan W. Frank by e-mail. Signed by Judge Donovan W. Frank on 11/10/16. (BJS) (Entered: 11/10/2016)
11/10/2016	<u>601</u>	AMENDED TEXT ONLY NOTICE of Resetting of Hearing: The bi-annual Status Conference previously scheduled for 12/22/2016, at 1:00 PM, Courtroom 7C, has been rescheduled to 1/05/2017 at 9:30 AM in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. The parties, Court Monitor, and Court Consultants may submit proposed agenda items to the Court no later than Thursday, December 15, 2016. Such proposals shall be submitted to the Chambers of Judge Donovan W. Frank by e-mail. Signed by Judge Donovan W. Frank on 11/10/16. (BJS) (Entered: 11/10/2016)
11/28/2016	<u>602</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter filing Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period Data acquired through October 31, 2016, pursuant to Court's Orders at Doc. Nos. 544 and 578</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period Data acquired through October 31, 2016, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 11/28/2016)
11/28/2016	<u>603</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Formal objection to invoice dated November 9, 2016, filed pursuant to Court's Order at Doc. 286</i>). (Attachments: # <u>1</u> Attachment A to formal objection to invoice dated Nov. 9, 2016, # <u>2</u> Attachment B to formal objection to invoice dated Nov. 9, 2016)(Noss, Anthony) (Entered: 11/28/2016)
11/29/2016	<u>604</u>	REPORT TO THE COURT: Compliance Assessment Pursuant to Order of September 29, 2016 (Doc. No. 595) by Court Monitor David Ferleger. (BJS) (Entered: 11/29/2016)

12/12/2016	<u>605</u>	ORDER. 1. Defendant DHS's formal objections to Invoice Number 397 (Doc. No. <u>603</u>) are OVERRULED. 2. The Court Monitor's attached Invoice Number 397 is APPROVED with the exclusion of ten line items totaling \$517.50 which the parties have informally agreed to exclude. (See Doc. No. 603–2.) 3. The Clerk shall forthwith issue a check to David Ferleger in the amount of \$23,546.70 drawn on this litigation's registry account, pursuant to the terms of the Court's March 19, 2014 Order. Signed by Judge Donovan W. Frank on 12/12/2016. (Attachments: # <u>1</u> Exhibit A)(BJS) (Entered: 12/12/2016)
12/12/2016	<u>606</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter Filing Department of Human Services Response to Court Monitors Compliance Assessment (Doc. No. 604) Pursuant to October 26, 2016 Order (Doc. No. 599) Filed December 12, 2016</i>). (Attachments: # <u>1</u> Letter from Commissioner Emily Piper Enclosing Department of Human Services Response to Court Monitors Compliance Assessment (Doc. No. 604) Pursuant to October 26, 2016 Order (Doc. No. 599) Filed December 12, 2016, # <u>2</u> Department of Human Services Response to Court Monitors Compliance Assessment (Doc. No. 604) Pursuant to October 26, 2016 Order (Doc. No. 599) Filed December 12, 2016)(Noss, Anthony) (Entered: 12/12/2016)
12/22/2016	<u>608</u>	ORDER. The Court's agenda for the January 5, 2017 Status Conference is as follows: 1. Call to Order 2. Introductions 3. Overview by the Court 4. Discussion of Selected Evaluation Criteria (ECs) a. Defendants shall report on what actions they have completed or efforts they have undertaken with respect to the following ECs: i. EC 6. Restraint: Prohibited Restraint Not Used ii. EC 8. Restraint: Emergency Restraint Only iii. EC 9. Restraint Policy Followed iv. EC 25. Abuse/Neglect Investigations v. EC 26. Abuse/Neglect Staff Discipline vi. EC 27. Abuse/Neglect: Prosecution Referral vii. EC 89. MLB Staff Experience viii. EC 90. Integrated Vocational Options ix. EC 91. Person–Centered Planning Requirements Met x. EC 92. Transition Planning Requirements Met xi. EC 93. Diversion Supports and Data Analysis xii. EC 94. Licensure Required Under CPA xiii. EC 96. Staff Training Emphasizes Community xiv. EC 98. Successful Life Project b. To accomplish item 4a., above, Defendants shall identify individuals with knowledge to report on what actions they have completed or efforts they have undertaken with respect to each EC, along with presentations by counsel for Defendants, if any. c. Following Defendants' presentation for each EC, the Court Monitor, Plaintiffs' Class Counsel, and the Consultants may present or provide comments or observations regarding these ECs. 5. Follow–Up Items from June 6, 2016 Biannual Status Conference a. Defendants' Verification Protocols. (See Doc. No. 578 at 6–7.) b. Communications Plan Addressing Misconceptions. (See id. at 11.) 6. Opportunities for Clarification in Compliance Reporting a. DHS request for clarification in compliance reporting on ECs 1, 51, 65, 66, 69, 93, 96. 7. Next Steps. Signed by Judge Donovan W. Frank on 12/22/2016. (BJS) (Entered: 12/22/2016)
12/23/2016	<u>609</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner Charles E. Johnson to the Honorable Donovan W. Frank enclosing the Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reported Period data acquired through October 31, 2016, Date Report Approved by Subcabinet December 19, 2016</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reported Period data acquired through October 31, 2016, Date Report Approved by Subcabinet December 19, 2016, # <u>2</u> Verification of Michael Tessneer dated Dec. 22, 2016)(Noss, Anthony) (Entered: 12/23/2016)
01/05/2017	<u>611</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Biannual Status Conference held on 1/5/2017. (Court Reporter Jeanne Anderson) (RLB) (Entered: 01/05/2017)
01/17/2017	<u>612</u>	ORDER. 1. DHS shall submit the following reports according to the schedule identified in the Court's Order for Reporting on Settlement Agreement (see Doc. No. 545):a. Semi–Annual Compliance Report covering the period of July 1, 2016 to December 31, 2016 (due February 28, 2017). b. Annual Report covering the period of January 1, 2016 to December 31, 2016 (due March 31, 2017). 2. In all future reports, DHS shall incorporate the improvements and clarifications it identified in its Response to the Court Monitor's Compliance Assessment with respect to ECs 1, 51, 65, 66, 69, 93, and 96. (See Doc. No. 606–2.) 3. The Court Monitor's duties shall remain stayed pending DHS's submission of the above reports. Once the reports are submitted, the

		Court will determine the extent to which any follow-up monitoring or DHS verification is needed. The Court reserves the right to direct the Court Monitor to investigate or verify other issues that may arise. Signed by Judge Donovan W. Frank on 1/17/2017. (BJS) (Entered: 01/17/2017)
01/25/2017	<u>613</u>	TEXT ONLY NOTICE: The next bi-annual Status Conference on the Olmstead Plan will take place on 03/24/2017 at 9:30 AM in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. Signed by Judge Donovan W. Frank on 01/25/2017. (BJS) (Entered: 01/25/2017)
02/24/2017	<u>614</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner Charles E. Johnson enclosing February 2017 Semi-Annual Compliance Report, Reporting Period July 1, 2016 – December 31, 2016</i>). (Attachments: # <u>1</u> Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2017 Semi Annual Compliance Report Reporting Period: July 1, 2016 – December 31, 2016, # <u>2</u> Placeholder for Unredacted Version of Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2017 Semi Annual Compliance Report Reporting Period: July 1, 2016 – December 31, 2016, # <u>3</u> Placeholder for Identifier Key to Jensen Settlement Agreement Comprehensive Plan of Action, # <u>4</u> Affidavits concerning verification of February 2017 Semi-Annual Compliance Report)(Noss, Anthony) Sealed document received on 2/24/2017 (JGK). (Entered: 02/24/2017)
02/27/2017	<u>615</u>	CERTIFICATE OF SERVICE by Minnesota Department of Human Services, Minnesota, State of re <u>614</u> Letter to District Judge,,, (Noss, Anthony) (Entered: 02/27/2017)
02/28/2017	<u>616</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS to Honorable Donovan W. Frank regarding the Olmstead Plan February 2017 Revision.</i>). (Attachments: # <u>1</u> Putting the Promise of Olmstead into Practice: Minnesotas Olmstead Plan February 2017 Revision (tracked changes), # <u>2</u> Putting the Promise of Olmstead into Practice: Minnesotas Olmstead February 2017 Revision)(Winter, Aaron) (Entered: 02/28/2017)
02/28/2017	<u>617</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner Charles E. Johnson filing Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period data acquired through January 31, 2017</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period data acquired through January 31, 2017, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 02/28/2017)
03/08/2017	<u>618</u>	ORDER (Filing Documents Under Seal). 1. The Court grants the parties leave to file documents under seal (other than in connection with a motion under LR 7.1) in the manner provided by this Order. 2. Filing Under Temporary Seal. A party seeking to file a document under seal must first file the document under temporary seal. That party must file the temporarily sealed document separately so that the document is assigned its own docket number. 3. Redacted Public Version. A party filing a document under temporary seal must contemporaneously and publicly file: a. a version of that document with the confidential information redacted; or b. a statement that the entire document is confidential or that redaction is impracticable. 4. Affidavit on Sealed Filing. A party filing a document under temporary seal must contemporaneously and publicly file an affidavit justifying the need to file the document under seal. The affidavit must explain why the need for confidentiality outweighs the publics right of access to the particular information being sealed. If multiple documents are contemporaneously filed under temporary seal, one affidavit may be used in connection with all of the documents. However, the affidavit should include a separate explanation for each separate sealed filing. 5. Expiration of Temporary Seal. Once all of the items above are filed consistent with this Order, a document filed under temporary seal will remain sealed until the Court orders otherwise. Signed by Judge Donovan W. Frank on 3/8/2017. (BJS) (Entered: 03/08/2017)

03/16/2017	<u>619</u>	ORDER. The Court's agenda for the March 24, 2017 Status Conference is as follows: (See Order for details.) Signed by Judge Donovan W. Frank on 3/16/2017. (BJS) (Entered: 03/16/2017)
03/24/2017	<u>620</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 3/24/2017. (Court Reporter Jeanne Anderson, Carla Bebault) (BJS) (Entered: 03/28/2017)
03/31/2017	<u>621</u>	SEALED Jensen Settlement Agreement Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016 by Minnesota Department of Human Services, State of Minnesota. (Winter, Aaron) (Entered: 03/31/2017)
03/31/2017	<u>622</u>	Redacted Document for <u>621</u> Sealed Jensen Settlement Agreement Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016 . (Winter, Aaron) (Entered: 03/31/2017)
03/31/2017	<u>623</u>	SEALED Identifier Key to Jensen Settlement Agreement Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016 re <u>621</u> Sealed Document by Minnesota Department of Human Services, State of Minnesota. (Winter, Aaron) (Entered: 03/31/2017)
03/31/2017	<u>624</u>	Redacted Document for <u>623</u> Sealed Identifier Key to Jensen Settlement Agreement Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016 . (Winter, Aaron) (Entered: 03/31/2017)
03/31/2017	<u>625</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Deputy Commissioner E. Johnson dated March 24, 2017 regarding the Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016.</i> (Attachments: # <u>1</u> Affidavits to Jensen Settlement Agreement Comprehensive Plan Of Action (CPA) March 2017 Annual Compliance Report Reporting Period: January 1, 2016 December 31, 2016)(Winter, Aaron) (Entered: 03/31/2017)
04/05/2017	<u>626</u>	ORDER. 1. At the March 24, 2017 Biannual Status Conference, Commissioner Mary Tingerthal, the Chair of the Olmstead Subcabinet, presented two administrative proposals for the Court's approval. First, Commissioner Tingerthal proposed an adjustment to the current reporting schedule to move the deadline for reporting Olmstead Plan amendments to March 31. Second, Commissioner Tingerthal proposed that Olmstead Plan Workplans no longer be submitted to the Court for review or approval. The Court appreciates Commissioner Tingerthal's attentiveness to ensuring the accuracy of Olmstead Plan reporting and the efficiency of the Olmstead Subcabinet's efforts. Consistent with these aims, the Court APPROVES Commissioner Tingerthal's proposals. To the extent prior Orders of the Court are inconsistent with these proposals, they are hereby superseded. 2. In light of Defendants' objection to the Court's jurisdiction, the Court directs the parties to submit briefing on this issue, addressing whether the Court presently has jurisdiction over this case. The parties shall meet and confer to establish a briefing schedule and submit a proposal to the Court for approval no later than Friday, April 14, 2017. If the parties cannot agree on a briefing schedule, the Court will impose a schedule. The Court reserves the right to hold a hearing on Defendants' jurisdictional objection or direct further briefing from the parties. Signed by Judge Donovan W. Frank on 4/5/2017. (BJS) (Entered: 04/05/2017)
04/06/2017	<u>627</u>	TRANSCRIPT REQUEST by Minnesota Department of Human Services, Minnesota, State of for a 30-Day Transcript to Court Reporters Jeanne Anderson and Carla Bebault. (Noss, Anthony) (Entered: 04/06/2017)
04/14/2017	<u>628</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>regarding Doc 626</i>). (Ikeda, Scott) (Entered: 04/14/2017)
04/14/2017	<u>629</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 04/14/2017)
04/18/2017	630	TEXT ONLY ORDER: The Court has reviewed the letters submitted by the parties addressing the briefing schedule on Defendants' objection to the Court's jurisdiction over this matter. (Doc. Nos. <u>628</u> , <u>629</u> .) The parties shall submit briefs on this issue consistent with this Order. First, Defendants shall file an opening brief no later than

		Friday, April 28, 2017. Second, Plaintiffs shall file a response no later than Friday, May 19, 2017. Third, Defendants shall file a reply no later than Friday, June 2, 2017. The Court concludes this schedule is appropriate in light of the Local Rules establishing time limits for briefing on dispositive motions. See LR 7.1(c)(2)–(3). The Court reserves the right to hold a hearing. Signed by Judge Donovan W. Frank on 4/18/2017. (BJS) (Entered: 04/18/2017)
04/28/2017	<u>631</u>	STATE DEFENDANTS' MEMORANDUM OF LAW IN SUPPORT OF DISMISSAL FOR LACK OF JURISDICTION re 630 Order (Text Only). (Ikeda, Scott) Modified text on 5/2/2017 (LEG). (Entered: 04/28/2017)
05/02/2017	<u>632</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (JMA) (Entered: 05/02/2017)
05/02/2017	<u>633</u>	TRANSCRIPT of Biannual Status Conference held on 03/24/2017 before Judge Donovan W. Frank. (112 pages). Court Reporter: Jeanne Anderson/Carla Bebault. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 5/23/2017. Redacted Transcript Deadline set for 6/2/2017. Release of Transcript Restriction set for 7/31/2017. (JMA) (Entered: 05/02/2017)
05/19/2017	<u>634</u>	MEMORANDUM re 630 Order (Text Only) <u>626</u> Order, filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR7.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 05/19/2017)
05/19/2017	<u>635</u>	DECLARATION of Shamus P. O'Meara re <u>626</u> Order, 630 Order (Text Only), by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E)(Azman, Mark) (Entered: 05/19/2017)
05/30/2017	<u>636</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, to the Honorable Donovan W. Frank, regarding Minnesota Olmstead Subcabinet May 22, 2017 Quarterly Report on Measureable Goals</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet May 22, 2017 Quarterly Report on Measureable Goals, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 05/30/2017)
06/02/2017	<u>637</u>	BRIEF re 630 Order (Text Only),,, <i>Defendants' Reply in Support of Dismissal for Lack of Jurisdiction</i>). (Ikeda, Scott) (Entered: 06/02/2017)
06/28/2017	<u>638</u>	ORDER. 1. Defendants' objection to the Court's continuing jurisdiction is OVERRULED. 2. Absent further order of the Court, all reporting obligations previously imposed shall remain in place. 3. The Court will convene a bi-annual status conference in this matter in December 2017. Prior to this status conference, the parties shall meet and confer to discuss the essential steps that remain in Defendants' implementation of the Agreement before the Court can equitably terminate its jurisdiction over this matter. (Written Opinion). Signed by Judge Donovan W. Frank on 6/28/2017. (BJS) (Entered: 06/28/2017)
07/26/2017	<u>639</u>	NOTICE OF APPEAL TO 8TH CIRCUIT as to <u>638</u> Order,, by Minnesota Department of Human Services, Minnesota, State of. Filing fee \$ 505, receipt number AMNDC-5633404. (Ikeda, Scott) (Entered: 07/26/2017)
07/27/2017	<u>640</u>	TRANSMITTAL OF APPEAL LETTER TO U.S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit <u>639</u> . (lmb) (Entered: 07/27/2017)
07/31/2017	641	USCA Case Number 17-2653 for <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (AKL) (Entered: 08/01/2017)
08/04/2017	<u>642</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Telephone Status Conference held on 8/4/2017. (las) (Entered: 08/04/2017)
08/30/2017	<u>643</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2017 Semi-Annual Compliance Report, Reporting Period: Jan. 1, 2017 June 30, 2017

		by State Defendants. (Noss, Anthony) (Entered: 08/30/2017)
08/30/2017	<u>644</u>	Redacted Document for <u>643</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2017 Semi-Annual Compliance Report, Reporting Period: Jan. 1, 2017 June 30, 2017 . (Noss, Anthony) (Entered: 08/30/2017)
08/30/2017	<u>645</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2017 Semi-Annual Compliance Report Identifier Key, Reporting Period: Jan. 1, 2017 June 30, 2017 by State Defendants. (Noss, Anthony) (Entered: 08/30/2017)
08/30/2017	<u>646</u>	Redacted Document for <u>645</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) 2017 Semi-Annual Compliance Report Identifier Key, Reporting Period: Jan. 1, 2017 June 30, 2017 . (Noss, Anthony) (Entered: 08/30/2017)
08/30/2017	<u>647</u>	AFFIDAVIT of Margaret Fletcher Booth re <u>644</u> Redacted Document, <u>646</u> Redacted Document, <u>643</u> Sealed Document, <u>645</u> Sealed Document by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 08/30/2017)
08/30/2017	<u>648</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter re: <u>643</u> , <u>644</u> , <u>645</u> , <u>646</u> , Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2017 Semi-Annual Compliance Report, Reporting Period: Jan. 1, 2017 June 30, 2017</i>). (Attachments: # <u>1</u> Affidavits of Daniel J. Baker, Margaret Fletcher Booth, Steven Dahl, Michael Tessneer, Karen Sullivan Hook, and Mark Brostrom)(Noss, Anthony) Modified links on 8/31/2017 (lmb). (Entered: 08/30/2017)
08/31/2017	<u>649</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, DHS, to the Honorable Donovan W. Frank, re: August 2017 Olmstead Plan Quarterly Report</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period Data Acquired Through July 31, 2017, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 08/31/2017)
08/31/2017	<u>650</u>	ORDER of USCA as to <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of (received electronically from COA) (AKL) (Entered: 08/31/2017)
09/13/2017	<u>651</u>	DOCUMENT FILED IN ERROR – INCORRECT CASE JUDGMENT (Attachments: # <u>1</u> Civil Notice – appeal)(MMP) Modified TEXT on 9/13/2017 (MMP). (Entered: 09/13/2017)
09/13/2017		NOTICE OF DOCKETING CORRECTION – DOCUMENT <u>651</u> FILED IN INCORRECT CASE. (MMP) (Entered: 09/13/2017)
09/13/2017	<u>652</u>	NOTICE AND ORDER OF CASE MANAGEMENT CONFERENCE: Case Management Conference set for 10/30/2017 01:00 PM in Courtroom 6A (STP) before Magistrate Judge Becky R. Thorson. Signed by Magistrate Judge Becky R. Thorson on 9/13/2017. (MMP) (Entered: 09/13/2017)
09/20/2017	<u>653</u>	ORDER of USCA as to <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of (received electronically from COA) (AKL) (Entered: 09/21/2017)
10/04/2017	<u>654</u>	TEXT ONLY NOTICE: The next bi-annual Status Conference in this matter will take place on 12/08/2017 at 1:00 PM in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson.(BJS) (Entered: 10/04/2017)
10/20/2017	<u>655</u>	MOTION to Stay <i>Pending Appeal</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Ikeda, Scott) (Entered: 10/20/2017)
10/20/2017	<u>656</u>	NOTICE OF HEARING ON MOTION <u>655</u> MOTION to Stay <i>Pending Appeal</i> : at date and time to be determined. (Ikeda, Scott) (Entered: 10/20/2017)
10/20/2017	<u>657</u>	MEET and CONFER STATEMENT re <u>655</u> Motion to Stay filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 10/20/2017)

10/20/2017	<u>658</u>	MEMORANDUM in Support re <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 10/20/2017)
10/20/2017	<u>659</u>	AFFIDAVIT of Margaret Fletcher Booth in SUPPORT OF <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 10/20/2017)
10/20/2017	<u>660</u>	PROPOSED ORDER TO JUDGE re <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 10/20/2017)
10/22/2017	<u>661</u>	LETTER TO MAGISTRATE JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Attachments: # <u>1</u> Exhibit(s), # <u>2</u> Exhibit(s))(Azman, Mark) (Entered: 10/22/2017)
10/25/2017	<u>662</u>	TEXT ONLY ORDER: Pending the Court's ruling on Defendants Motion to Stay Pending Appeal, (Doc. No. <u>655</u>), the parties are directed to attend the scheduled Case Management Conference on October 30, 2017 before Magistrate Judge Becky R. Thorson, (see Doc. No. <u>652</u>). Signed by Judge Donovan W. Frank on 10/25/2017. (RLB) (Entered: 10/25/2017)
10/25/2017	<u>663</u>	LETTER TO MAGISTRATE JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>pursuant to 9.13.2017 Order</i>). (Ikeda, Scott) (Entered: 10/25/2017)
10/26/2017	<u>664</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 10/26/2017)
10/26/2017	<u>665</u>	LETTER TO MAGISTRATE JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 10/26/2017)
10/30/2017	<u>666</u>	Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Scheduling Conference held on 10/30/2017. (AKL) (Entered: 10/31/2017)
11/06/2017	<u>667</u>	MEMORANDUM in Opposition re <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 11/06/2017)
11/06/2017	<u>668</u>	DECLARATION of Shamus P. O'Meara in Opposition to <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D, # <u>5</u> Exhibit(s) E, # <u>6</u> Exhibit(s) F)(Azman, Mark) (Entered: 11/06/2017)
11/09/2017	<u>669</u>	Reply to Response to Motion re <u>655</u> MOTION to Stay <i>Pending Appeal</i> filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Certificate of Service)(Ikeda, Scott) (Entered: 11/09/2017)
11/29/2017	<u>670</u>	ORDER. The Court's agenda for the December 8, 2017 Status Conference is outlined below (see attached Order). No later than Wednesday, December 6, 2017, the parties or the Consultants may submit additional proposed agenda items for the Court's consideration. Signed by Judge Donovan W. Frank on 11/29/2017. (BJS) (Entered: 11/29/2017)
11/29/2017	<u>671</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of the Minnesota Department of Human Services, to the Honorable Donovan W. Frank, dated Nov. 29, 2017, regarding the Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period Data Acquired Through Oct. 31, 2017, Date Approved by Subcabinet Nov. 27, 2017</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period Data Acquired Through Oct. 31, 2017, Date Approved by Subcabinet Nov. 27, 2017, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 11/29/2017)

12/08/2017	<u>672</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 12/8/2017. (Court Reporter Lori Simpson) (BJS) (Entered: 12/12/2017)
12/21/2017	<u>673</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank enclosing Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reporting Period Data Acquired Through Oct. 31, 2017, Date Report Approved by Subcabinet Dec. 18, 2017</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reporting Period Data Acquired Through Oct. 31, 2017, Date Report Approved by Subcabinet Dec. 18, 2017, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 12/21/2017)
02/01/2018	<u>674</u>	ORDER: State Defendants' Motion to Stay Pending Appeal (Doc. No. <u>655</u>) is DENIED. Signed by Judge Donovan W. Frank on 2/1/2018. (las) (Entered: 02/01/2018)
02/02/2018		NOTICE to USCA of subsequent filing in a civil case, Re: Order on Motion to Stay <u>674</u> . (kt) (Entered: 02/02/2018)
02/28/2018	<u>675</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to the Honorable Donovan W. Frank re: Feb. 2018 Semi-Annual Compliance Report (reporting period July 1, 2017 through Dec. 31, 2017)</i>). (Attachments: # <u>1</u> Affidavits (re: Verification of Feb. 2018 Semi-Annual Compliance Report))(Noss, Anthony) (Entered: 02/28/2018)
02/28/2018	<u>676</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2018 Semi-Annual Compliance Report, Reporting Period: July 1, 2017 Dec. 31, 2017 (Unredacted, Under Seal Version) re <u>675</u> Letter to District Judge, by Minnesota Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 02/28/2018)
02/28/2018	<u>677</u>	Redacted Document for <u>676</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2018 Semi-Annual Compliance Report, Reporting Period: July 1, 2017 Dec. 31, 2017 (Unredacted, Under Seal Version) . (Noss, Anthony) (Entered: 02/28/2018)
02/28/2018	<u>678</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2018 Semi-Annual Compliance Report Identifier Key, Reporting Period: July 1, 2017 Dec. 31, 2017 (Unredacted, Under Seal Version) re <u>675</u> Letter to District Judge, by Minnesota Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 02/28/2018)
02/28/2018	<u>679</u>	Redacted Document for <u>678</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) February 2018 Semi-Annual Compliance Report Identifier Key, Reporting Period: July 1, 2017 Dec. 31, 2017 (Unredacted, Under Seal Version) . (Noss, Anthony) (Entered: 02/28/2018)
02/28/2018	<u>680</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to the Honorable Donovan W. Frank re: Olmstead Quarterly Report on Measureable Goals, data acquired through Jan. 31, 2018</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period data acquired through Jan. 31, 2018, Date Approved By Subcabinet Feb. 26, 2018, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 02/28/2018)
02/28/2018		NOTICE to USCA of subsequent filing in a civil case, Re: Redacted Document, <u>679</u> , Sealed Document, <u>676</u> , Sealed Document, <u>678</u> , Letter to District Judge,, <u>680</u> , Letter to District Judge, <u>675</u> , Redacted Document <u>677</u> . (kt) (Entered: 02/28/2018)
03/29/2018	<u>681</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to Honorable Donovan W. Frank filing Minnesotas Olmstead Plan, March 2018 Revision</i> . (Attachments: # <u>1</u> Minnesotas Olmstead Plan, March 2018 Revision (blackline version), # <u>2</u> Minnesotas Olmstead Plan, March 2018 Revision (clean copy))(Noss, Anthony) (Entered: 03/29/2018)

03/30/2018	<u>682</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to Honorable Donovan W. Frank filing March 2018 Annual Compliance Report</i>). (Attachments: # <u>1</u> Affidavits Concerning Verification of March 2018 Annual Compliance Report)(Noss, Anthony) (Entered: 03/30/2018)
03/30/2018	<u>683</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2018 Annual Compliance Report, Reporting Period: Jan. 1, 2017 Dec. 31, 2017 re <u>682</u> Letter to District Judge, by Minnesota Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/30/2018)
03/30/2018	<u>684</u>	Redacted Document for <u>683</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2018 Annual Compliance Report, Reporting Period: Jan. 1, 2017 Dec. 31, 2017 . (Noss, Anthony) (Entered: 03/30/2018)
03/30/2018	<u>685</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2018 Annual Compliance Report Identifier Key, Reporting Period: Jan. 1, 2017 Dec. 31, 2017 re <u>682</u> Letter to District Judge, by Minnesota Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/30/2018)
03/30/2018	<u>686</u>	Redacted Document for <u>685</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2018 Annual Compliance Report Identifier Key, Reporting Period: Jan. 1, 2017 Dec. 31, 2017 . (Noss, Anthony) (Entered: 03/30/2018)
04/24/2018	<u>687</u>	TEXT ONLY NOTICE: The next bi-annual Status Conference in this matter will take place on 07/12/2018 at 1:30 PM in the 7th Floor Conference Room (accessible by buzzing Judge Franks Chambers on the 7th Floor), Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. (las) (Entered: 04/24/2018)
05/23/2018	<u>688</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank, dated May 21, 2018</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period data acquired through April 30, 2018, Date Approved by Subcabinet: May 21, 2018; with its Exhibit, Olmstead Plan Quality of Life Survey Baseline Report., # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 05/23/2018)
06/25/2018	<u>689</u>	ORDER: The Court's agenda for the July 12, 2018 Status Conference is outlined below. No later than Monday, July 9, 2018, the parties or the Consultants may submit additional proposed agenda items for the Courts consideration. Signed by Judge Donovan W. Frank on 6/25/2018. (las) (Entered: 06/25/2018)
07/02/2018	<u>690</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 07/02/2018)
07/10/2018	<u>691</u>	ORDER: The Court's amended agenda for the July 12, 2018 Status Conference is outlined below. The Court reserves the right to request written submissions from the parties on the topics identified below following the July 12, 2018 Status Conference. Signed by Judge Donovan W. Frank on 7/10/2018. (las) (Entered: 07/10/2018)
07/12/2018	<u>692</u>	Minute Entry for proceedings held before Judge Donovan W. Frank: Status Conference held on 7/12/2018. (Court Reporter Lynne Krenz) (las) (Entered: 07/16/2018)
07/19/2018	<u>693</u>	ORDER re: July 12, 2018, the Court held a Biannual Status Conference. The Department of Human Services shall submit the following reports according to the schedules identified in the Court's Order for Reporting on Olmstead Plan and Order for Reporting on Settlement Agreement (Doc. Nos. 544, 545): a. Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals covering the period of May 1, 2018 to July 31, 2018 (due August 31, 2018). b. Jensen Settlement Agreement Comprehensive Plan of Action Semi-Annual Compliance Report covering the period of January 1, 2018 to June 30, 2018 (due August 31, 2018). Following the Court's receipt of the reports identified above, the Court will issue an order establishing next steps. This order will also establish how the Court intends to address the applicable legal standard to determine the circumstances under which it will end its involvement

		in this matter. Signed by Judge Donovan W. Frank on 7/19/2018. (las) (Entered: 07/19/2018)
07/20/2018	<u>694</u>	NOTICE to USCA of subsequent filing in a civil case, Re: Notice of Hearing, <u>687</u> , Sealed Document, <u>685</u> , Redacted Document <u>686</u> , Order to Party File Document/Respond to Court,, <u>693</u> , Letter to District Judge,, <u>688</u> , Status Conference <u>692</u> , Scheduling Order, <u>691</u> , Scheduling Order, <u>689</u> , Letter to District Judge <u>690</u> , Letter to District Judge, <u>681</u> , Letter to District Judge, <u>682</u> , Redacted Document <u>684</u> , Sealed Document, <u>683</u> . (MMG) (Entered: 07/20/2018)
07/26/2018	<u>695</u>	Opinion of USCA (electronic copy) as to <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (AKL) (Entered: 07/31/2018)
07/26/2018	<u>696</u>	USCA JUDGMENT (electronic copy) as to <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (AKL) (Entered: 07/31/2018)
08/20/2018	<u>697</u>	MANDATE of USCA (electronic copy) as to <u>639</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (AKL) (Entered: 08/20/2018)
08/29/2018	<u>698</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank, dated Aug. 27, 2018, filing the Aug. 27, 2018 Quarterly Report on Olmstead Plan Measureable Goals</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period Data Acquired Through July 31, 2018, Date Approved By Subcabinet August 27, 2018, # <u>2</u> Verification of Michael Tessneer dated Aug. 28, 2018)(Noss, Anthony) (Entered: 08/29/2018)
08/31/2018	<u>699</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to the Honorable Donovan W. Frank submitting Aug. 2018 Semi-Annual Compliance Report</i>). (Attachments: # <u>1</u> Affidavit on Sealed Filing, with Affidavits re: August 2018 Semi-Annual Compliance Report)(Noss, Anthony) (Entered: 08/31/2018)
08/31/2018	<u>700</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2018 Semi-Annual Compliance Report, Reporting Period Jan. 1, 2018 June 30, 2018 (UNREDACTED UNDER SEAL VERSION) by Minnesota Department of Human Services. (Noss, Anthony) (Entered: 08/31/2018)
08/31/2018	<u>701</u>	Redacted Document for <u>700</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2018 Semi-Annual Compliance Report, Reporting Period Jan. 1, 2018 to June 30, 2018 . (Noss, Anthony) (Entered: 08/31/2018)
08/31/2018	<u>702</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2018 Semi-Annual Compliance Report Identifier Key, Reporting Period Jan. 1, 2018 to June 30, 2018 (UNREDACTED UNDER SEAL VERSION) by Minnesota Department of Human Services. (Noss, Anthony) (Entered: 08/31/2018)
08/31/2018	<u>703</u>	Redacted Document for <u>702</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2018 Semi-Annual Compliance Report Identifier Key, Reporting Period Jan. 1, 2018 to June 30, 2018 . (Noss, Anthony) (Entered: 08/31/2018)
11/19/2018	704	TEXT ONLY ORDER: The Biannual Status Conference scheduled for December 2018 is continued until April 2019. An order establishing the reporting requirements in advance of this meeting will be forthcoming. Ordered by Judge Donovan W. Frank on 11/19/2018. (RLB) (Entered: 11/19/2018)
11/27/2018	<u>705</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, DHS, to the Honorable Donovan W. Frank, dated Nov. 26, 2018</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet, Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period: Data Acquired Through Oct. 31, 2018, Date Approved by Subcabinet: Nov. 26, 2018, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 11/27/2018)

12/24/2018	<u>706</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles Johnson, DHS Deputy Commissioner, to the Honorable Donovan W. Frank</i>). (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reporting Period: Data acquired through Oct. 31, 2018; Date Approved by Subcabinet: Dec. 17, 2018, # <u>2</u> Verification of Michael Tessneer)(Noss, Anthony) (Entered: 12/24/2018)
01/04/2019	<u>707</u>	ORDER: In lieu of the Jensen Settlement Agreement Comprehensive Plan of Action Semi-Annual and Annual Compliance Reports due on February 28, 2019 and March 31, 2019, respectively, Defendants shall submit one Summary Report adhering to the specifications described above. (See Order for Specific Deadlines) The Biannual Reporting Conference will be held on April 16, 2019, from 1:30 PM to 4:30 PM, in the 7th Floor Conference Room Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. The Summary Report will be discussed at that time. The Status Conference will also address the Olmstead Amendments and the Olmstead Quarterly Reports and Annual Report submitted since the last status conference. Signed by Judge Donovan W. Frank on 1/4/2019. (las) (Entered: 01/04/2019)
02/27/2019	<u>708</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Claire Wilson, Minnesota Department of Human Services Deputy Commissioner for Policy to the Honorable Donovan W. Frank dated Feb. 26, 2019, filing the Minnesota Olmstead Subcabinet Quarterly Report on Measureable Goals, Reporting Period: Data Acquired Through Jan. 31, 2019</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Quarterly Report on Measureable Goals, Reporting Period: Data Acquired Through Jan. 31, 2019, Date Approved by Subcabinet: Feb. 25, 2019), # <u>2</u> (Verification of Michael Tessneer))(Noss, Anthony) (Entered: 02/27/2019)
03/19/2019	<u>709</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles Johnson, Deputy Commissioner, to the Honorable Donovan W. Frank</i>). (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>710</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2019 Summary Report (Under Seal Version/Not Redacted) re <u>709</u> Letter to District Judge by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>711</u>	Redacted Document for <u>710</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2019 Summary Report . (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>712</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2019 Summary Report Identifier Key (Under Seal/Not Redacted Version) re <u>710</u> Sealed Document by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>713</u>	Redacted Document for <u>712</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2019 Summary Report Identifier Key . (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>714</u>	AFFIDAVIT in Support re <u>710</u> Sealed Document (<i>Affidavits Regarding Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2019 Summary Report</i>). (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>715</u>	EXHIBIT Exhibit Index re <u>710</u> Sealed Document. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>716</u>	SEALED EXHIBIT Attachment 1 (<i>Attachment 1 to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>717</u>	SEALED EXHIBIT Attachment 2 (<i>Attachment 2 to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)

03/19/2019	<u>718</u>	SEALED EXHIBIT Attachment 3 (<i>Attachment 3 to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>719</u>	SEALED EXHIBIT Attachment 4 (<i>Attachment 4 to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>720</u>	SEALED EXHIBIT Attachment 5, Part 1 (pgs. 1–540) (<i>Attachment 5, Part 1 (pgs. 1–540) to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>721</u>	SEALED EXHIBIT Attachment 5, Part 2 (pgs. 541–1015) (<i>Attachment 5, Part 2 (pgs. 541–1015) to the March 2019 Summary Report</i>) re <u>720</u> Exhibit, <u>710</u> Sealed Document, <u>715</u> Exhibit by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>722</u>	SEALED EXHIBIT Attachment 5, Part 3 (pgs. 1016–1270) (<i>Attachment 5, Part 3 (pgs. 1016–1270) to the March 2019 Summary Report</i>) re <u>720</u> Exhibit, <u>710</u> Sealed Document, <u>715</u> Exhibit, <u>721</u> Exhibit, by Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>723</u>	EXHIBIT Attachment 6 (<i>Attachment 6 to the March 2019 Summary Report</i>) re <u>710</u> Sealed Document, <u>715</u> Exhibit. (Noss, Anthony) (Entered: 03/19/2019)
03/19/2019	<u>724</u>	STATEMENT INSTEAD OF REDACTED DOCUMENT: Entire Document Confidential for <u>720</u> , <u>717</u> , <u>722</u> , <u>719</u> , <u>716</u> , <u>721</u> , <u>718</u> Sealed, unredacted March 2019 Summary Report; Sealed Identifier Key; Sealed Attachments 1–5 . (Noss, Anthony) (Entered: 03/19/2019)
03/29/2019	<u>725</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Claire Wilson, DHS Deputy Commissioner of Policy, to the Honorable Donovan W. Frank re: Revised Olmstead Plan</i>). (Attachments: # <u>1</u> Minnesotas Olmstead Plan March 2019 Revision, # <u>2</u> Minnesotas Olmstead Plan March 2019 Revision (blacklined version))(Noss, Anthony) (Entered: 03/29/2019)
04/01/2019	<u>726</u>	LETTER to District Judge by Colleen Wieck, Ph.D., Executive Director, Minnesota Governor's Council on Developmental Disabilities. (Attachments: # <u>1</u> Attch 1, # <u>2</u> Attch 2, # <u>3</u> Attch 3). (lmb) Document QC'd on 8/5/2019 (CLK). (Entered: 04/01/2019)
04/04/2019	<u>727</u>	SEALED Letter to District Judge by Roberta Opheim, Ombudsman, Office of Ombudsman for Mental Health and Development Disability. RESTRICTED PER JUDGE FRANK'S CHAMBERS. (kt) Document QC'd on 6/4/2019 (JGK). (Entered: 04/05/2019)
04/08/2019	<u>728</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 04/08/2019)
04/09/2019	<u>729</u>	ORDER: A Biannual Status Conference is scheduled for April 16, 2019 at 1:30 p.m., in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. (Doc. No. <u>707</u> .) The Status Conference will address the Jensen Settlement Agreement ("JSA"), the Comprehensive Plan of Action (CPA), and the Olmstead Plan. Signed by Judge Donovan W. Frank on 4/9/2019. (See Order for specific detail re: Court's Agenda)(las) (Entered: 04/09/2019)
04/10/2019	<u>730</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen <i>Amended Letter</i> . (Azman, Mark) (Entered: 04/10/2019)
04/12/2019	<u>731</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 04/12/2019)
04/15/2019	<u>732</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 04/15/2019)
04/15/2019	<u>733</u>	ORDER – The Court's amended agenda for the April 16, 2019 Status Conference is outlined below. The Court reserves the right to request written submissions from the

		parties on the topics identified below following the April 16, 2019 Status Conference. Signed by Judge Donovan W. Frank on 4/15/2019. (las) (Entered: 04/15/2019)
04/16/2019	<u>734</u>	Minute Entry for proceedings held before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson: Biannual Status Conference held on 4/16/2019. Written order forthcoming. (Court Reporter Lynne Krenz) (las) (Entered: 04/17/2019)
04/16/2019	<u>735</u>	DOCUMENT FILED IN ERROR, DUPLICATE OF DOCUMENT NUMBER <u>734</u> . Minute Entry for proceedings held before Magistrate Judge Becky R. Thorson: Biannual Status Conference held on 4/16/2019. (MSK) Modified text on 4/18/2019 (LEG). (Entered: 04/17/2019)
05/29/2019	<u>736</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>Letter from Claire Wilson, Deputy Commissioner for Policy at DHS, to Honorable Donovan W. Frank.</i> (Attachments: # <u>1</u> Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period: Data Acquired Through April 30, 2019, # <u>2</u> Verification of Michael Tessner)(Noss, Anthony) (Entered: 05/29/2019)
06/17/2019	<u>737</u>	ORDER RE: STATUS CONFERENCE. The Court's jurisdiction is extended to September 15, 2020. The Court expressly reserves the authority and jurisdiction to order an additional extension of jurisdiction, depending upon the status of Defendants' compliance and absence stipulation of the parties. Signed by Judge Donovan W. Frank on 6/17/2019. (See Order for Further Details, Requirements and Deadlines) (Written Opinion). Signed by Judge Donovan W. Frank on 6/17/2019. (las) (Entered: 06/17/2019)
07/03/2019	<u>738</u>	TRANSCRIPT REQUEST for an Expedited 3-Day Transcript of <u>734</u> Status Conference, <u>735</u> Status Conference to Court Reporter Lynne Krenz. (Winter, Aaron) (Entered: 07/03/2019)
07/06/2019	<u>739</u>	NOTICE of Filing of Official Transcript. This filing has 1 transcript(s) associated with it. (LMK) (Entered: 07/06/2019)
07/06/2019	<u>740</u>	TRANSCRIPT of Status Conference held on 4.16.19 before Judge Donovan W. Frank. (160 pages). Court Reporter: Lynne Krenz. For a copy of the transcript, please file a Transcript Request under <i>Other Filings/Other Documents</i> . For information on redaction procedures, please review <u>Local Rule 5.5</u> . Redaction Request due 7/29/2019. Redacted Transcript Deadline set for 8/6/2019. Release of Transcript Restriction set for 10/4/2019. (LMK) (Entered: 07/06/2019)
07/15/2019	<u>741</u>	MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of. (Ikeda, Scott) (Entered: 07/15/2019)
07/15/2019	<u>742</u>	NOTICE OF HEARING ON MOTION <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, : Date and time to be determined. (Ikeda, Scott) (Entered: 07/15/2019)
07/15/2019	<u>743</u>	MEMORANDUM in Support re <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 07/15/2019)
07/15/2019	<u>744</u>	Declaration of Margaret Fletcher-Booth, Ph.D in Support of <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 07/15/2019)
07/15/2019	<u>745</u>	Declaration of Karen Sullivan Hook in Support of <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 07/15/2019)
07/15/2019	<u>746</u>	Declaration of Daniel J. Baker, Ph.D. in Support of <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 07/15/2019)

		07/15/2019)
07/15/2019	<u>747</u>	PROPOSED ORDER TO JUDGE re <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 07/15/2019)
07/16/2019	<u>748</u>	Amended Declaration of Margaret Fletcher–Booth in Support of <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 07/16/2019)
07/29/2019	<u>749</u>	DOCUMENT FILED IN WRONG CASE – DOCUMENT RESTRICTED LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) Modified text on 7/29/2019 (CLK). (Entered: 07/29/2019)
08/01/2019	<u>750</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 08/01/2019)
08/02/2019	<u>751</u>	MEMORANDUM in Opposition re <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 08/02/2019)
08/15/2019	<u>752</u>	Reply to Response to Motion re <u>741</u> MOTION to Alter/Amend/Correct Other Orders <u>737</u> Memorandum & Opinion, filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Certificate of Service)(Ikeda, Scott) (Entered: 08/15/2019)
08/15/2019	<u>753</u>	MEMORANDUM re <u>737</u> Memorandum & Opinion, filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 08/15/2019)
08/15/2019	<u>754</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>pursuant to June 17, 2019 Order</i>). (Ikeda, Scott) (Entered: 08/15/2019)
08/26/2019	<u>755</u>	TEXT–ONLY ORDER: The Court is in receipt of Defendants' request (Doc. No. <u>754</u>) to file a response by August 29, 2019 to Plaintiffs' brief (Doc. No. <u>753</u>) related to the scope of the Settlement Agreement and CPA. The Court GRANTS Defendants' request. Upon receipt of Defendants' response, the Court will determine whether a hearing is necessary or if the matter can be decided based on the parties' submissions. Ordered by Judge Donovan W. Frank on 8/26/2019. (las) (Entered: 08/26/2019)
08/28/2019	<u>756</u>	MEMORANDUM re <u>737</u> Memorandum & Opinion, <i>Amended</i> filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 08/28/2019)
08/28/2019	<u>757</u>	MEMORANDUM OPINION AND ORDER denying <u>741</u> Defendants' Motion to Alter or Amend the Courts June 17,2019 Order (Doc. No. <u>741</u>) is DENIED. (Written Opinion) Signed by Judge Donovan W. Frank on 8/28/2019. (las) (Entered: 08/28/2019)
08/28/2019	<u>758</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Claire Wilson, Deputy Commissioner for Policy, DHS, to Honorable Donovan W. Frank (enclosing Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period: Data Acquired through July 31, 2019)</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period: Data Acquired through July 31, 2019, Date Approved by Subcabinet: Aug. 26, 2019), # <u>2</u> (Verification of Michael Tessneer))(Noss, Anthony) (Entered: 08/28/2019)
08/29/2019	<u>759</u>	BRIEF re 755 Order in Response to Letter/Request/E–mail,, (<i>State Defendants' Brief Regarding Positive Supports Rule and Scope of Settlement Agreement and CPA on Restraints</i>). (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Winter, Aaron) (Entered: 08/29/2019)

08/29/2019	<u>760</u>	DECLARATION of KyleeAnn Stevens re <u>759</u> Brief, by Minnesota Department of Human Services, Minnesota, State of . (Attachments: # <u>1</u> Exhibit(s) A–F)(Winter, Aaron) (Entered: 08/29/2019)
08/30/2019	<u>761</u>	TEXT–ONLY ORDER: The Court is in receipt of Plaintiffs' Amended Settlement Class Position on Items 3 and 6 of the Court's Order. (Doc. No. <u>756</u> ("Amended Brief").) Plaintiffs filed their Amended Brief without explanation and without seeking prior permission from the Court. Before the Court rules on whether the Amended Brief should be stricken, the Court seeks an explanation as to why it was untimely filed. Plaintiffs shall file a letter not exceeding two pages by September 4, 2019 showing why their untimeliness should be excused. Defendants may file a letter response not exceeding two pages by September 6, 2019. Ordered by Judge Donovan W. Frank on 8/30/2019. (las) (Entered: 08/30/2019)
08/30/2019	<u>762</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles Johnson, Deputy Commissioner of DHS, to Honorable Donovan W. Frank re: August 2019 Semi–Annual Compliance Report, Reporting Period: Jan. 1, 2019 June 30, 2019, and Response to June 17, 2019 Order</i>). (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>763</u>	SEALED (Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report, Reporting Period: Jan. 1, 2019 June 30, 2019) re <u>762</u> Letter to District Judge, by State of Minnesota, Minnesota Department of Human Services. (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>764</u>	Redacted Document for <u>763</u> (SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report, Reporting Period: Jan. 1, 2019 June 30, 2019) . (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>765</u>	SEALED (Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report – Identifier Key) re <u>763</u> Sealed Document, by State of Minnesota, Minnesota Department of Human Services. (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>766</u>	Redacted Document for <u>765</u> (SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report – Identifier Key) . (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>767</u>	AFFIDAVIT of (Affidavits of Daniel J. Baker, Ph.D., Margaret Fletcher Booth, Ph.D, Mark Brostrom, Steven Dahl, Noreen Koch–Myer, Karen Sullivan Hook, Michael Tessneer) re <u>763</u> Sealed Document, (<i>Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report, Reporting Period: Jan. 1, 2019 June 30, 2019</i>) by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 08/30/2019)
08/30/2019	<u>768</u>	EXHIBIT (Jensen Settlement Agreement Comprehensive Plan of Action (CPA) August 2019 Semi–Annual Compliance Report Attachments Index) re <u>763</u> Sealed Document,. (Attachments: # <u>1</u> Attachments A through E)(Noss, Anthony) (Entered: 08/30/2019)
09/03/2019	<u>769</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 09/03/2019)
09/04/2019	<u>770</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen (<i>Date Corrected</i>). (Azman, Mark) (Entered: 09/04/2019)
09/05/2019	<u>771</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>pursuant to Doc 761</i>). (Winter, Aaron) (Entered: 09/05/2019)
10/01/2019	<u>772</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Winter, Aaron) (Entered: 10/01/2019)
10/01/2019	<u>773</u>	SEALED Correspondence re <u>772</u> Letter to District Judge by Defendants. (Winter, Aaron) (Entered: 10/01/2019)
10/15/2019	<u>774</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to Honorable Donovan W. Frank (re: October 2019 Supplemental Report)</i>). (Attachments: # <u>1</u> Jensen Settlement Agreement October 2019 Supplemental Report DHS Treatment Homes Report EC 88

		and EC 93, # <u>2</u> October 2019 Supplemental Report Attachments Index, # <u>3</u> Attachments A–K to October 2019 Supplemental Report, # <u>4</u> Verification Affidavits (re: October 2019 Supplemental Report))(Noss, Anthony) (Entered: 10/15/2019)
10/25/2019	<u>775</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of <i>Letter from Charles E. Johnson to Honorable Donovan W. Frank (re: Departments Subject Matter Experts Reports on Use of Prohibited Techniques and Staff Training)</i> . (Attachments: # <u>1</u> Report Number 1, Use of Prohibited Techniques, by Gary W. LaVigna, Ph.D., BCBA–D, # <u>2</u> Attachment A (to Report Number 1, Use of Prohibited Techniques, by Gary W. LaVigna, Ph.D., BCBA–D), # <u>3</u> Redacted Attachment B (to Report Number 1, Use of Prohibited Techniques, by Gary W. LaVigna, Ph.D., BCBA–D), # <u>4</u> Attachment C (to Report Number 1, Use of Prohibited Techniques, by Gary W. LaVigna, Ph.D., BCBA–D), # <u>5</u> Report Number 2, Staff Training, by Gary W. LaVigna, Ph.D., BCBA–D, # <u>6</u> Attachment A (to Report Number 2, Staff Training, by Gary W. LaVigna, Ph.D., BCBA–D), # <u>7</u> Affidavit of Margaret Fletcher Booth, Ph.D., Concerning Filing Under Seal)(Noss, Anthony) (Entered: 10/25/2019)
10/25/2019	<u>776</u>	SEALED Attachment B (to Report Number 1, Use of Prohibited Techniques, by Gary W. LaVigna, Ph.D., BCBA–D) re <u>775</u> Letter to District Judge,,, by MN Department of Human Services, State of Minnesota. (Noss, Anthony) (Entered: 10/25/2019)
11/21/2019	<u>777</u>	TEXT ONLY NOTICE: The next bi–annual Status Conference in this matter will take place on 01/13/2020 at 2:00 PM in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson.(las) (Entered: 11/21/2019)
11/27/2019	<u>778</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner, to the Honorable Donovan W. Frank enclosing the November 25, 2019 Quarterly Report on Olmstead Plan Measurable Goals: Data acquired through 10/31/19</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measurable Goals, Reporting Period: Data Acquired Through October 31, 2019, Date Reviewed by Subcabinet November 25, 2019), # <u>2</u> (Verification of Michael Tessneer))(Winter, Aaron) (Entered: 11/27/2019)
12/18/2019	<u>779</u>	ORDER re: Supplemental Briefing re: Scope of Settlement Agreement. (See order for dates and details.). Signed by Judge Donovan W. Frank on 12/17/2019. (las) (Entered: 12/18/2019)
12/20/2019	<u>780</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank, dated Dec. 17, 2019</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Annual Report on Olmstead Plan Implementation, Reporting Period: Data Acquired through Oct. 31, 2019, Date Approved by Subcabinet: Dec. 16, 2019), # <u>2</u> (Verification of Michael Tessneer))(Noss, Anthony) (Entered: 12/20/2019)
12/30/2019	<u>781</u>	TEXT ONLY ORDER – The bi–annual Status Conference scheduled for January 13, 2020, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson has been CANCELLED and will be reset at a date and time to be determined. The Court apologizes for any inconvenience this may cause. Ordered by Judge Donovan W. Frank on 12/30/2019. (las) (Entered: 12/30/2019)
01/03/2020	<u>782</u>	TEXT ONLY NOTICE OF RESCHEDULED CONFERENCE – The next bi–annual Status Conference in this matter will NOW take place on 04/02/2020 at 1:00 PM in Courtroom 7C, 7th Floor, Warren E. Burger Federal Building and United States Courthouse, 316 North Robert Street, St. Paul, Minnesota, before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. (las) (Entered: 01/03/2020)
01/10/2020	<u>783</u>	NOTICE OF APPEAL TO 8TH CIRCUIT as to <u>779</u> Briefing Order by Minnesota Department of Human Services, Minnesota, State of. Filing fee \$ 505, receipt number AMNDC–7392499. (Ikeda, Scott) (Entered: 01/10/2020)
01/10/2020	<u>784</u>	MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Minnesota Department of Human Services, Minnesota, State of. (Ikeda, Scott) (Entered: 01/10/2020)

		01/10/2020)
01/10/2020	<u>785</u>	NOTICE OF HEARING ON MOTION <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) : Date and time to be determined. (Ikeda, Scott) (Entered: 01/10/2020)
01/10/2020	<u>786</u>	MEET and CONFER STATEMENT re <u>784</u> Motion to Stay filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 01/10/2020)
01/10/2020	<u>787</u>	MEMORANDUM in Support re <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Ikeda, Scott) (Entered: 01/10/2020)
01/10/2020	<u>788</u>	Declaration of Margaret Fletcher–Booth in Support of <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> Exhibit(s) 1)(Ikeda, Scott) (Entered: 01/10/2020)
01/10/2020	<u>789</u>	PROPOSED ORDER TO JUDGE re <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 01/10/2020)
01/13/2020	<u>790</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit <u>783</u> . (CLK) (Entered: 01/13/2020)
01/17/2020	<u>791</u>	MEMORANDUM in Opposition re <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 01/17/2020)
01/17/2020	<u>792</u>	DECLARATION of Shamus P. O'Meara in Opposition to <u>784</u> MOTION to Stay re <u>779</u> Briefing Order (<i>Pending Appeal</i>) filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> Exhibit(s) A, # <u>2</u> Exhibit(s) B, # <u>3</u> Exhibit(s) C, # <u>4</u> Exhibit(s) D)(Azman, Mark) (Entered: 01/17/2020)
01/21/2020	793	USCA Case Number 20–1126 for <u>783</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (kt) (Entered: 01/21/2020)
02/04/2020	<u>794</u>	ORDER denying <u>784</u> Defendants' Motion to Stay Pending Appeal. (Written Opinion) Signed by Judge Donovan W. Frank on 2/4/2020. (LJL) (Entered: 02/04/2020)
02/04/2020	<u>795</u>	ORDER. (1) Defendants must select either Dr. Gary LaVigna or David Ferleger to conduct an external review of the Forensic Mental Health Program and Anoka MetroRegional Treatment Center pursuant to the Court's December 18, 2019 Order. (2) Defendants shall notify the Court of their selection via email no later than February 7, 2020. (3) The external reviewer shall conduct an external review and submit a report in accordance with the obligations set forth in the Court's December 18, 2019 Order (Doc. No. (<u>779</u>). Signed by Judge Donovan W. Frank on 2/4/2020. (LJL) (Entered: 02/04/2020)
02/06/2020	796	NOTICE to USCA of subsequent filing in a civil case, Re: Order on Motion to Stay <u>794</u> , Order/Notice to Attorney,, <u>795</u> . (KDS) (Entered: 02/06/2020)
02/11/2020	797	TEXT–ONLY ORDER: On February 7, 2020, Defendants emailed the Court pursuant to the Court's February 4, 2020 Order (Doc. No. 794). Defendants requested leave to file that email and a previous email on the docket. The Court GRANTS Defendants' request. Defendants may file their February 7, 2020 and January 3, 2020 emails to the Court on the docket. Ordered by Judge Donovan W. Frank on 2/11/2020. (las) (Entered: 02/11/2020)
02/11/2020		NOTICE to USCA of subsequent filing in a civil case, Re: Order in Response to Letter/Request/E–mail, 797 . (KDS) (Entered: 02/11/2020)
02/13/2020	<u>798</u>	ORDER. Signed by Judge Donovan W. Frank on 2/13/2020. (See order for specific detail re: external review.)(las) (Entered: 02/13/2020)

02/20/2020	<u>799</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Correspondence to the Honorable Donovan W. Frank, dated Feb. 20, 2020</i>). (Attachments: # <u>1</u> Exhibit(s) A (Redacted), # <u>2</u> Exhibit(s) B)(Winter, Aaron) (Entered: 02/20/2020)
02/20/2020	<u>800</u>	SEALED EXHIBIT A re <u>799</u> Letter to District Judge by Defendants. (Winter, Aaron) (Entered: 02/20/2020)
02/20/2020	<u>801</u>	AFFIDAVIT of Aaron Winter re <u>800</u> Exhibit (<i>regarding sealed Ex. A to correspondence to the Hon. Donovan W. Frank, dated Feb. 20, 2020</i>)) by Minnesota Department of Human Services, Minnesota, State of. (Winter, Aaron) (Entered: 02/20/2020)
02/20/2020	<u>802</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 02/20/2020)
02/21/2020		NOTICE to USCA of subsequent filing in a civil case, Re: Order/Notice to Attorney <u>798</u> , Letter to District Judge <u>802</u> , Letter to District Judge <u>799</u> , Affidavit <u>801</u> . (KDS) (Entered: 02/21/2020)
02/24/2020	<u>803</u>	TRANSMITTAL OF RECORDS re: Documents sent to the USCA. (KDS) (Entered: 02/24/2020)
02/25/2020	<u>804</u>	NOTICE OF APPEAL TO 8TH CIRCUIT as to <u>798</u> Order/Notice to Attorney by Minnesota Department of Human Services, Minnesota, State of. Filing fee \$ 505, receipt number AMNDC-7509513. (Ikeda, Scott) (Entered: 02/25/2020)
02/26/2020	<u>805</u>	TRANSMITTAL OF APPEAL LETTER TO U. S. COURT OF APPEALS, 8TH CIRCUIT, Re: Notice of Appeal to 8th Circuit <u>804</u> . (KDS) (Entered: 02/26/2020)
02/26/2020	<u>806</u>	MOTION to Stay re <u>798</u> Order/Notice to Attorney filed by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 02/26/2020)
02/26/2020	<u>807</u>	NOTICE OF HEARING ON MOTION <u>806</u> MOTION to Stay re <u>798</u> Order/Notice to Attorney : Date and time to be determined. (Noss, Anthony) (Entered: 02/26/2020)
02/26/2020	<u>808</u>	MEMORANDUM in Support re <u>806</u> MOTION to Stay re <u>798</u> Order/Notice to Attorney filed by Minnesota Department of Human Services, Minnesota, State of. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Noss, Anthony) (Entered: 02/26/2020)
02/26/2020	<u>809</u>	PROPOSED ORDER TO JUDGE re <u>806</u> MOTION to Stay re <u>798</u> Order/Notice to Attorney filed by Minnesota Department of Human Services, Minnesota, State of.(Noss, Anthony) (Entered: 02/26/2020)
02/26/2020	<u>810</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank (re: Quarterly Report on Olmstead Plan Measurable Goals)</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals – Reporting Period: Data acquired through Jan. 31, 2020 Date approved by Subcabinet: Feb. 24, 2020), # <u>2</u> (Verification of Michael Tessneer))(Noss, Anthony) (Entered: 02/26/2020)
02/27/2020	811	USCA Case Number 20-1399 for <u>804</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (kt) (Entered: 02/27/2020)
02/27/2020	<u>812</u>	LETTER TO DISTRICT JUDGE by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen . (Azman, Mark) (Entered: 02/27/2020)
02/28/2020	<u>813</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank (re: Feb. 2020 Semi-Annual Compliance Report filing)</i>). (Noss, Anthony) (Entered: 02/28/2020)
02/28/2020	<u>814</u>	SEALED February 2020 Semi-Annual CPA Compliance Report Reporting Period: July 1, 2019 Dec. 31, 2019 re <u>813</u> Letter to District Judge, by Defendants MN Department of Human Services and State of Minnesota. (Noss, Anthony) (Entered: 02/28/2020)

02/28/2020	<u>815</u>	Redacted Document for <u>814</u> Sealed February 2020 Semi–Annual CPA Compliance Report Reporting Period: July 1, 2019 Dec. 31, 2019 . (Noss, Anthony) (Entered: 02/28/2020)
02/28/2020	<u>816</u>	SEALED February 2020 Semi–Annual CPA Compliance Report Identifier Key re <u>813</u> Letter to District Judge, by Defendants MN Department of Human Services and State of Minnesota. (Noss, Anthony) (Entered: 02/28/2020)
02/28/2020	<u>817</u>	Redacted Document for <u>816</u> Sealed February 2020 Semi–Annual CPA Compliance Report Identifier Key . (Noss, Anthony) (Entered: 02/28/2020)
02/28/2020	<u>818</u>	AFFIDAVIT of Margaret Fletcher–Booth, et al. re <u>813</u> Letter to District Judge, (<i>Affidavits of Margaret Fletcher–Booth, et al</i>) by Minnesota Department of Human Services, Minnesota, State of. (Noss, Anthony) (Entered: 02/28/2020)
03/02/2020	<u>819</u>	MEET and CONFER STATEMENT re <u>806</u> Motion to Stay filed by Minnesota Department of Human Services, Minnesota, State of.(Ikeda, Scott) (Entered: 03/02/2020)
03/04/2020	<u>820</u>	ORDER re: External Review Report & Payment Process. Upon completion of the external review, the parties shall convene with Magistrate Judge Becky R. Thorson on June 18, 2020 to develop a plan for a just and equitable way to end this Court's jurisdiction. The Status Conference, scheduled for April 2, 2020, shall be postponed until after the parties convene with Judge Thorson. Signed by Judge Donovan W. Frank on 3/4/2020. (See Order for complete details) (las) (Entered: 03/04/2020)
03/04/2020	<u>821</u>	MEMORANDUM in Opposition re <u>806</u> MOTION to Stay re <u>798</u> Order/Notice to Attorney filed by Darren Allen, James Brinker, Elizabeth Jacobs, James Jensen, Lorie Jensen. (Attachments: # <u>1</u> LR7.1/LR72.2 Word Count Compliance Certificate)(Azman, Mark) (Entered: 03/04/2020)
03/09/2020	<u>822</u>	(Text–Only) NOTICE of Cancellation of status conference: The Bi–Annual Status Conference for April 2, 2020 has been CANCELLED. See Court's Order <u>820</u> (las). (las) (Entered: 03/09/2020)
03/09/2020	<u>823</u>	ORDER – Defendants' Motion to Stay Pending Appeal (Doc. No. <u>806</u>) is DENIED.(Written Opinion) Signed by Judge Donovan W. Frank on 3/9/2020. (las) (Entered: 03/09/2020)
03/26/2020	<u>824</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner DHS, to the Honorable Donovan W. Frank (enclosing revised Olmstead Plan)</i>). (Attachments: # <u>1</u> (Minnesotas Olmstead Plan March 2020 Revision (blackline version)), # <u>2</u> (Minnesotas Olmstead Plan March 2020 Revision (clean copy)))(Noss, Anthony) (Entered: 03/26/2020)
03/27/2020		NOTICE to USCA of subsequent filing in a civil case, Re: Memorandum in Support of Motion, <u>808</u> , Affidavit <u>818</u> , Notice of Cancellation/Rescheduling of Hearing <u>822</u> , Letter to District Judge <u>812</u> , Order/Notice to Attorney, <u>820</u> , Memorandum in Opposition to Motion, <u>821</u> , Meet and Confer Statement <u>819</u> , Notice of Hearing on Motion <u>807</u> , Letter to District Judge, <u>813</u> , Letter to District Judge, <u>824</u> , Order on Motion to Stay <u>823</u> , Letter to District Judge,, <u>810</u> , Proposed Order to Judge <u>809</u> , Motion to Stay <u>806</u> . (KDS) (Entered: 03/27/2020)
03/31/2020	<u>825</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson to Honorable Donovan W. Frank (re March 2020 Annual Compliance Report)</i>). (Noss, Anthony) (Entered: 03/31/2020)
03/31/2020	<u>826</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2020 Annual CPA Compliance Report, Reporting Period Jan. 1, 2019 to Dec. 31, 2019 re <u>825</u> Letter to District Judge by Defendants Minnesota Department of Human Services, an agency of the State of Minnesota, and the State of Minnesota. (Noss, Anthony) (Entered: 03/31/2020)
03/31/2020	<u>827</u>	Redacted Document for <u>826</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2020 Annual CPA Compliance Report, Reporting Period Jan. 1, 2019 to Dec. 31, 2019 . (Noss, Anthony) (Entered: 03/31/2020)

03/31/2020	<u>828</u>	SEALED Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2020 Annual CPA Compliance Report Identifier Key re <u>826</u> Sealed Document, by Defendants Minnesota Department of Human Services, an agency of the State of Minnesota, and the State of Minnesota. (Noss, Anthony) (Entered: 03/31/2020)
03/31/2020	<u>829</u>	Redacted Document for <u>828</u> Sealed Jensen Settlement Agreement Comprehensive Plan of Action (CPA) March 2020 Annual CPA Compliance Report Identifier Key . (Noss, Anthony) (Entered: 03/31/2020)
03/31/2020	<u>830</u>	DECLARATION of Margaret Fletcher-Booth, et al. re <u>826</u> Sealed Document, by Minnesota Department of Human Services, Minnesota, State of . (Noss, Anthony) (Entered: 03/31/2020)
04/06/2020	<u>831</u>	ORDER: Defendants shall submit an addendum to the Olmstead Plan March 2020, Revision (Doc. No. <u>824</u>) by May 15, 2020, that includes the following: a. A brief explanation for each goal summarizing how the goal may be impacted by the COVID-19 pandemic and whether further revision is necessary; and b. A response to each of the Courts questions posed above. Signed by Judge Donovan W. Frank on 4/6/2020. (See Order for Specific Details)(las) (Entered: 04/06/2020)
04/07/2020	<u>832</u>	USCA JUDGMENT (electronic copy) as to <u>783</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of, <u>804</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (kt) (Entered: 04/08/2020)
04/08/2020		NOTICE to USCA of subsequent filing in a civil case, Re: Sealed Document, <u>828</u> , Order to Party File Document/Respond to Court, <u>831</u> , Declaration <u>830</u> , Letter to District Judge <u>825</u> , Sealed Document, <u>826</u> . (KDS) (Entered: 04/08/2020)
05/08/2020	<u>833</u>	MANDATE of USCA (electronic copy) as to <u>783</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of, <u>804</u> Notice of Appeal to 8th Circuit filed by Minnesota Department of Human Services, Minnesota, State of. (kt) (Entered: 05/11/2020)
05/14/2020	<u>834</u>	LETTER TO DISTRICT JUDGE from Dr. Gary LaVigna re: invoice. (las) (Entered: 05/14/2020)
05/14/2020	835	TEXT-ONLY ORDER: The Court is in receipt of Dr. Gary LaVigna's invoice. (Doc. No. <u>834</u>) Pursuant to the Court's March 4, 2020 Order, the parties have ten (10) days to object to the invoice. (Doc. No. 820). Absent objection, the Court will review the invoice and issue an appropriate order for payment from the Courts registry. Ordered by Judge Donovan W. Frank on 5/14/2020.(las) (Entered: 05/14/2020)
05/14/2020	836	TEXT-ONLY ORDER: In light of the COVID-19 pandemic and the additional barriers it poses to communicating and sharing documents, the Court extends the deadline for Dr. Gary LaVigna to submit his report regarding the use of mechanical restraint at the Forensic Mental Health Program and Anoka Regional Treatment Center to June 30, 2020. Ordered by Judge Donovan W. Frank on 5/14/2020.(las) (Entered: 05/14/2020)
05/15/2020	<u>837</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter from Charles E. Johnson, Deputy Commissioner of DHS, to the Honorable Donovan W. Frank (Re: Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period Data Acquired Through April 30, 2020, Date Approved by Subcabinet May 11, 2020)</i>). (Attachments: # <u>1</u> (Minnesota Olmstead Subcabinet Quarterly Report on Olmstead Plan Measureable Goals, Reporting Period Data Acquired Through April 30, 2020, Date Approved by Subcabinet May 11, 2020), # <u>2</u> (Verification of Michael Tessneer))(Noss, Anthony) (Entered: 05/15/2020)
05/15/2020	<u>838</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of (<i>Letter to the Honorable Donovan W. Frank</i>). (Attachments: # <u>1</u> (Addendum to March 2020 Olmstead Plan in response to Doc. 831))(Ikeda, Scott) (Entered: 05/15/2020)
05/18/2020	<u>839</u>	LETTER TO DISTRICT JUDGE from Dr. Gary LaVigna re: updated invoice. (las) (Entered: 05/18/2020)

05/18/2020	840	TEXT-ONLY ORDER: The Court is in receipt of Dr. Gary LaVigna's updated invoice. (Doc. No. <u>839</u> ("Invoice").) This Invoice supersedes the invoice docketed at No. <u>834</u> . Accordingly, any objections pursuant to the Court's March 4, 2020 Order must now be directed at the Invoice within ten (10) days of the date the Invoice was filed. Absent objection, the Court will review the Invoice and issue an appropriate order for payment from the Court's registry. Ordered by Judge Donovan W. Frank on 5/18/2020.(las) (Entered: 05/18/2020)
05/27/2020	<u>841</u>	LETTER TO DISTRICT JUDGE by Minnesota Department of Human Services, Minnesota, State of . (Ikeda, Scott) (Entered: 05/27/2020)
05/28/2020	842	TEXT-ONLY ORDER: The Court is in receipt of Defendants' objection (Doc. No. <u>841</u> ("Objection")) to Dr. Gary LaVigna's invoice regarding his external review of the Forensic Mental Health Program and Anoka Metro Regional Treatment Center (Doc. No. <u>839</u>). Defendants object to Dr. LaVigna's lack of specificity with respect to the date on which services were performed and the amount of time spent each day. (Objection at 2.) The Court agrees. To the extent he is able to do so retroactively, the Court respectfully requests that Dr. Gary LaVigna resubmit his invoice identifying specific services, the date on which those services were performed, and the amount of time spent on each service each day. Moreover, all subsequent invoices shall be required to include this information. Ordered by Judge Donovan W. Frank on 5/28/2020. (LJL) (Entered: 05/28/2020)
06/03/2020	843	TEXT-ONLY ORDER: A status conference in this matter is currently scheduled for June 18, 2020. In light of the COVID-19 pandemic and the extension granted to Dr. Gary LaVigna to file his report regarding the external review of the Forensic Mental Health Program and Anoka Metro Regional Treatment Center, the Court finds it necessary to postpone the status conference. Accordingly, the status conference shall be held on July 13, 2020 at 1:30 PM in Courtroom 7C, Warren E. Burger Federal Building and United States Courthouse, 315 North Robert Street, St. Paul, Minnesota before Judge Donovan W. Frank and Magistrate Judge Becky R. Thorson. Ordered by Judge Donovan W. Frank on 6/3/2020.(las) (Entered: 06/03/2020)
06/04/2020	<u>844</u>	LETTER TO DISTRICT JUDGE from Dr. Gary LaVigna re: revised March and April 2020 Invoice. (las) (Entered: 06/04/2020)
06/04/2020	<u>845</u>	LETTER TO DISTRICT JUDGE from Dr. Gary LaVigna re: May 2020 Invoice. (las) (Entered: 06/04/2020)
06/04/2020	846	TEXT-ONLY ORDER: The Court is in receipt of Dr. Gary LaVigna's second revised invoice for March and April 2020. (Doc. No. <u>844</u> ("Revised Invoice").) This Revised Invoice supersedes the invoice docketed at No. <u>839</u> . Accordingly, any objections pursuant to the Court's March 4, 2020 Order must now be directed at the Revised Invoice within ten (10) days of the date the Revised Invoice was filed. Absent objection, the Court will review the Invoice and issue an appropriate order for payment from the Court's registry. Ordered by Judge Donovan W. Frank on 6/4/2020. (las) (Entered: 06/04/2020)
06/04/2020	847	TEXT-ONLY ORDER: The Court is in receipt of Dr. Gary LaVigna's May invoice. (Doc. No. <u>845</u> .) Pursuant to the Court's March 4, 2020 Order, the parties have ten (10) days to object to the invoice. (Doc. No. <u>820</u>). Absent objection, the Court will review the invoice and issue an appropriate order for payment from the Court's registry. Ordered by Judge Donovan W. Frank on 6/4/2020.(las) (Entered: 06/04/2020)