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personal dignity,
community participation

November 29, 2004

Clerk's Office: Judge Sargus's Docket
U.S. Courthouse
85 Marconi Boulevard
Columbus, Ohio 43215

Subject: Decertification of the MARTIN VS. TAFT Class

Dear Judge Sargus:

The Arc of Ohio (formerly the Association for Retarded Citizens) was founded over fifty years ago as a grassroots not-for-profit volunteer run advocacy association to promote the general welfare of individuals with mental retardation, other developmental disabilities and their families. Since that time, our members, who are for the most part, parents, guardians and family members of individuals with disabilities, have founded most of the services now received by Ohioans with disabilities, as well as the related local and state administrative authorities now in place.

The Arc has played a pivotal role in the development of new services to Ohioans with disabilities and their families over the years. We assisted in the creation and implementation of legislation and administrative policy listed in the proposed Martin vs. Taft settlement.

It has become increasingly apparent that the needs and desires of those identified as the "Class" of Martin vs. Taft are significantly different. The proposed settlement and subsequent objections/negotiations have exasperated these differences. The thousands of Ohioans desperately waiting for services are not even addressed in what has come to be known as "Ohio's Waiting List Law Suit".

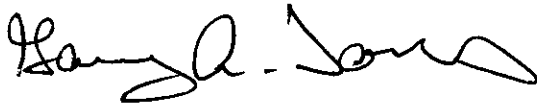
The accomplishments detailed in the proposed settlement occurred in spite of Martin vs. Taft, not because of it. Even the proposal to eliminate the ICF/MR program in Ohio was proposed by Governor Taft almost two years ago; and, will again – Regardless of Martin vs. Taft - be proposed in his 2005/2006 budget proposal.

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It is time to move on. Martin vs. Taft is a tired law suit, no longer relevant, no longer necessary. Its existence has distracted too long from the prime objective of serving the thousands of Ohioans in need of services.

Your honor, The Arc of Ohio urges you to decertifying the Martin vs. Taft Class.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary A. Tonks". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary A. Tonks
Executive Director