IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

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UNITED STATES OF AMERICA,	
Plaintiff,	
V.	
THE STATE OF VERMONT, <u>et al</u> .,	
Defendants.	

Civ. No. 06-CV-143

ORDER OF FINAL DISMISSAL WITH PREJUDICE PURSUANT TO RULE 41(a)(2) OF THE FEDERAL RULES OF CIVIL PROCEDURE

The United States Department of Justice ("DOJ") and the State of Vermont, Governor of Vermont, Commissioner of the Vermont Department of Mental Health, Secretary of the Vermont Agency of Human Services, and the Chief Executive of the Vermont State Hospital, entered into a Settlement Agreement that was filed with the Complaint and Joint Motion to Dismiss pursuant to Fed. R. Civ. P. 41(a)(2), in the above captioned matter ("Settlement Agreement").

The above captioned matter was conditionally dismissed pursuant to Fed. R. Civ. P. 41(a) (2), on July 31, 2006, by order of the Honorable William K. Sessions III, Chief Judge, United States District Court. The Order provided that "[f]inal dismissal with prejudice will be determined by the terms of the Settlement Agreement."

Pursuant to Section XIV.M of the Settlement Agreement in the above captioned matter, the Parties agreed in writing to extend the term of the Settlement Agreement from July 20, 2010 until October 31, 2010 in order to continue working together to address conditions at the Vermont State Hospital, in accordance with the terms of the Settlement Agreement. A copy of the Notice of Extension/Amendment to the Settlement Agreement was filed with the Court on July 15, 2010.

The Parties, having reached agreement that all terms of the Settlement Agreement have been met, respectfully request that the Court enter the Proposed Order and dismiss the case with prejudice, effective immediately.

Having considered the parties' Joint Motion for Final Dismissal Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, it is hereby ORDERED that this case is dismissed with prejudice.

DATED at Burlington, in the District of Vermont, this 28th day of October, 2010.

/s/

<u>William K. Sessions III</u> Honorable William K. Sessions III United States District Judge