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THE HON. THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

T.R., by and through his guardian and next friend,  
R.R.; S.P., by and through her mother and next  
friend, D.H.; C.A., by and through her mother and  
next friend, A.A.; T.F., by and through her father  
and next friend, D.F.; P.S., by and through his  
mother and next friend, W.S.; T.V., by and  
through his guardian and next friend. C.D.; E.H.  
by and through his mother and next friend, C.H.;  
E.D., by and through his mother and next friend,  
A.D.; and L.F.S., by and through his mother and  
next friend, B.S.,

Plaintiffs,

v.

SUSAN N. DREYFUS, not individually, but  
solely in her official capacity as Secretary of the  
Washington State Department of Social and  
Health Services; and J. DOUGLAS PORTER, not  
individually, but solely in his official capacity as  
the Director of the Washington State Health Care  
Authority,

Defendants.

No. C09-1677-TSZ

STIPULATED MOTION AND ORDER  
RE EXTENSION OF INTERIM  
AGREEMENT

STIPULATION

The parties, through their counsel, respectfully submit this Stipulation for court approval  
to extend the term of the parties' Interim Agreement from June 30, 2013, until the date this Court  
orders final approval of the parties' Settlement Agreement.

1 On March 7, 2012, this Court issued its Order Regarding Stipulated Interim Agreement  
2 and Case Schedule Amendments (DKT 100). That Order, at paragraph 1, approved the Parties'  
3 Interim Agreement attached as Exhibit 1 to the Parties' Stipulation Regarding Interim Agreement  
4 and Joint Motion Amending Case Schedule (DKT 99). The Interim Agreement established that  
5 its term would end on June 30, 2013, but allowed for an extension of this term by "mutual  
6 consent and with approval of the Court." See Paragraphs 17 & 20. Paragraph 20 further  
7 established that if the parties had not developed a subsequent agreement before July 1, 2013,  
8 they could "extend the deadline for completing the subsequent agreement and continue to  
9 implement ... [the Interim] Agreement."

10 The parties have been working diligently to negotiate a Settlement Agreement of this  
11 matter, and are close to completing their negotiations and reaching a final Agreement. The  
12 parties will be filing a Joint Status Report on July 15, 2013, which will update the Court on the  
13 status of negotiations and Defendants' implementation efforts. The parties recognize that once  
14 the Settlement Agreement is submitted to this Court, the process for obtaining final approval  
15 may take several months.

16 In the interim, the parties agree that Defendants will continue meeting the obligations set  
17 forth in the Interim Agreement. Accordingly, as contemplated by Paragraph 20 of the Interim  
18 Agreement, the parties seek an extension of the term of that Agreement until the date this Court  
19 orders final approval of the parties' Settlement Agreement. Upon final approval of the  
20 Settlement Agreement, the Interim Agreement will expire.

21 //  
22 //  
23 //

1 IT IS SO STIPULATED this 27<sup>th</sup> day of June, 2013

2  
3 /s/David Carlson

David Carlson, WSBA No. 35767

4 [DavidC@dr-wa.org](mailto:DavidC@dr-wa.org)

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8  
9 /s/ John K. McIlhenny

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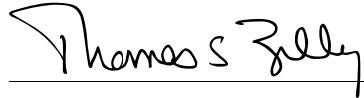
13 Telephone: (360) 586-6565

14 Attorneys for Defendants

**ORDER**

Based on the foregoing stipulated motion, ECF No. 115, which is hereby GRANTED, the Court's March 7, 2012 Order Regarding Stipulated Interim Agreement and Case Schedule Amendments, ECF No. 100, is hereby modified to extend the term of the parties' Interim Agreement from June 30, 2013, until the date this Court orders final approval of the parties' Settlement Agreement.

DATED this 28th day of June, 2013.



THOMAS S. ZILLY  
United States District Judge

**CERTIFICATE OF SERVICE**

I hereby certify that on this 27<sup>th</sup> day of June, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: John McIlhenney Jr. ([JohnM5@atg.wa.gov](mailto:JohnM5@atg.wa.gov)), Bill G. Clark ([BillC2@atg.wa.gov](mailto:BillC2@atg.wa.gov)), Eric Nelson ([EricN1@atg.wa.gov](mailto:EricN1@atg.wa.gov)) and Catherine R. Hoover ([CatherineH1@atg.wa.gov](mailto:CatherineH1@atg.wa.gov))

*s/Mona Rennie*

Legal Assistant

Disability Rights Washington