

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

M.D., by her next friend, Sarah R. Stukenberg, §
D.I., by his next friend, Nancy G. Pofahl, §
Z.H., by his next friend, Carla B. Morrison, §
S.A., by her next friend, Javier E. Solis, §
A.M., by her next friend, Jennifer Talley, §
J.S., H.V., and P.O., by their next friend, §
Anna J. Ricker, K.E., by her next friend, §
John W. Cliff, Jr., S.R., M.R., and J.R., §
by their next friend, Bobbie M. Young, and §
L.H. and C.H., by their next friend, Estela C. §
Vasquez, individually and on behalf of all §
others similarly situated, §

Plaintiffs,

vs.

RICK PERRY, in his official capacity as §
Governor of the State of Texas, KYLE §
JANEK, in his official capacity as Executive §
Commissioner of the Health and Human §
Services Commission of the State of Texas, §
and JOHN J. SPECIA, JR., in his official §
capacity as Commissioner of the §
Department of Family and Protective §
Services of the State of Texas, §

Defendants.

CIVIL ACTION NO. 2:11 CV-00084

**AGREED ORDER GRANTING DEFENDANTS' MOTION FOR PARTIAL SUMMARY
JUDGMENT ON THE CLAIMS OF THE PROPOSED UNVERIFIED KINSHIP
SUBCLASS**

Before the Court is Defendants' Motion for Partial Summary Judgment on the Claims of the Proposed Unverified Kinship Subclass [D.E. 220]. Having considered the motion and Plaintiffs' agreement thereto on the basis recited below, the Court finds that the motion should be granted as set forth below.

IT IS HEREBY ORDERED that Plaintiffs' Motion for Partial Summary Judgment on the Claims of the Proposed Unverified Kinship Subclass is GRANTED and such claims are DISMISSED, without prejudice to Plaintiffs filing a motion to amend their complaint to add a plaintiff or plaintiffs who are appropriate subclass representatives, and to renew their motion for certification of an Unverified Kinship Subclass, and without prejudice to the Defendants objecting to same.

SO ORDERED this _____ day of _____, 2013.

HON. JANIS GRAHAM JACK
UNITED STATES DISTRICT JUDGE

Agreed:

/s/ Marcia Robinson Lowry
Marcia Robinson Lowry
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