

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Kevin Scott Karsjens, David
Leroy Gamble, Jr., Kevin John
DeVillion, Peter Gerard
Lonergan, James Matthew
Noyer, Sr., James John Rud,
James Allen Barber, Craig
Allen Bolte, Dennis Richard
Steiner, Kaine Joseph Braun,
Brian Christopher John
Thuringer, Kenny S. Daywitt,
and Bradley Wayne Foster,

Civ. No. 11-3659 (DWF/JJK)

Plaintiffs,

ORDER

v.

Lucinda Jesson, Dennis Benson,
Kevin Moser, Tom Lundquist,
Greg Carlson, and Ann
Zimmerman, in their individual
and official capacities,

Defendants.

The above-captioned matter was originally filed as *Karsjens, et al. v. Minnesota Department of Human Services, et al., pro se*, (“Karsjens”) on December 21, 2011, as a proposed class action. On January 12, 2012, attorneys for the law firm Gustafson Gluek, PLLC filed notices of appearance on this matter. On or about January 25, 2012, Chief Judge Davis issued an Order (Doc. No. 142), staying all pending *pro se* Minnesota Sex Offender Program (“MSOP”) cases with the exception of this matter and *Thompson v. Ludeman*,

et al., 11-CV-1704 (DWF/JJK), and on February 6, 2012, Chief Judge Davis issued an amended order (Doc. No. 83), staying additional MSOP cases. On February 8, 2012, Judge Frank issued an Order (Thompson, Doc. No. 146), staying the *Thompson* litigation. On March 15, 2012, an Amended Complaint (Doc. No. 151), was filed in *Karsjens*. On July 24, 2012, Judge Frank issued an Order (Doc. No. 203), certifying *Karsjens* as a class action. The parties have been and continue to discuss settlement of the issues raised in the *Karsjens* Amended Complaint.

The Court recognizes that the solution of issues relating to the conditions of confinement will require a process in which representatives from both parties can meet and confer to try and reach agreement as to these issues.

Accordingly, **IT IS HEREBY ORDERED** that:

1. The Court has selected and appoints the following individuals to serve on a committee (“Committee”):

Dan Gustafson or David Goodwin
Steve Alpert or Ricardo Figueroa
Nancy Johnston
Anne Barry
Jannine Hébert and/or Kevin Moser
Kevin Karsjens
Benjamin Alverson
Corey Michaels

2. The focus of the Committee shall be to meet and work through, in good faith, the remaining issues, limited to the list of conditions of confinement at the MSOP identified by Plaintiffs and presented to Defendants by Friday,

March 1, 2013, in an effort to reach a proposed agreement regarding the conditions of confinement that can be incorporated into any future settlement of this litigation.

3. The Committee shall meet at the MSOP facility in Moose Lake as needed between the date of this Order and June 3, 2013, to discuss the issues relating to the conditions of confinement. The first such meeting shall occur in March 2013. Subsequent meetings shall occur in the months of April and May 2013.

4. No later than June 3, 2013, the Committee shall prepare and provide the Court a final proposal with regard to areas of agreement on the conditions of confinement.

5. The formation of the Committee shall not affect or impair the rights of the parties with respect to further settlement discussions or litigation in this matter.

Date: February 26, 2013

s/ Jeffrey J. Keyes
JEFFREY J. KEYES
United States Magistrate Judge