

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

|  |   |                            |
|--|---|----------------------------|
| DWAYNE B., by his next friend, John Stempfle,            | ) | No. 2:06-cv-13548          |
| <i>et al.</i> , for themselves and others similarly      | ) | Hon. Nancy G. Edmunds      |
| situated,  | ) | Hon. Mag. Donald A. Scheer |
| Plaintiffs,  | ) |                            |
| v.   | ) | <u>Class Action</u>        |
|  | ) |                            |
| JENNIFER GRANHOLM, in her official                       | ) |                            |
| capacity as Governor of the state of Michigan, <i>et</i> | ) |                            |
| <i>al.</i> ,   | ) |                            |
| Defendants.  | ) |                            |

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**ORDER GRANTING JOINT MOTION FOR APPROVAL OF SETTLEMENT  
REGARDING PLAINTIFFS’ ATTORNEYS’ FEES AND NON-TAXABLE  
EXPENSES**

The Court, having considered the Parties’ Joint Motion for Approval of Settlement Regarding Attorneys’ Fees and Non-Taxable Expenses, notice to the Class having been given by Defendants in accordance with the Order of this Court, no written objections having been submitted in response to the Notice, two written responses favoring approval of the Settlement Regarding Attorneys’ Fees and Non-Taxable Expenses having been submitted and reviewed by the Court, and the Court being fully advised, **IT IS HEREBY ORDERED:**

1. The Court finds that the Parties’ settlement of Plaintiffs’ claim for attorneys’ fees and non-taxable costs is fair, reasonable and adequate, pursuant to 42 U.S.C. §1988,
2. The Court approves the Parties’ settlement agreement that Plaintiffs shall be awarded \$6,200,000.00 to compensate Class Counsel for their investment of professional services and non-taxable expenses in this class action,

3. The Court's approval of the Parties' settlement of Plaintiffs' claim for attorneys' fees and non-taxable costs shall not be construed to constitute any finding regarding the appropriate hourly rates to be charged by Plaintiffs' Counsel for professional services rendered in monitoring and enforcing the Court's October 24, 2008 order,
4. Defendants shall make full payment of the settlement amount of \$6,200,000 to Plaintiffs within twenty-eight (28) days of entry of this Order, and
5. For purposes of the award of attorneys' fees and non-taxable expenses relating to ongoing monitoring and enforcement activities of Plaintiffs' court-appointed counsel, no further Notice to the Class shall be required.

Nancy  
United

s/Nancy G. Edmunds  
G. Edmunds  
States District Judge

Dated: January 22, 2009

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on January 22, 2009, by electronic and/or ordinary mail.

s/Carol A. Hemeyer  
Case Manager