

CLOSED

**U.S. District Court  
Eastern District of Kentucky (Frankfort)  
CIVIL DOCKET FOR CASE #: 3:06-cv-00063-KKC**

USA v. Commonwealth of Kentucky et al  
Assigned to: Judge Karen K. Caldwell  
Cause: 42:12101et seq. – Americans with Disabilities Act

Date Filed: 08/31/2006  
Date Terminated: 09/13/2006  
Jury Demand: None  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: U.S. Government Plaintiff

**Plaintiff**

**USA**

represented by **Mary Regina Bohan**  
U.S. Department of Justice – 4926  
Civil Rights Division  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Commonwealth of Kentucky**  
*as Owner and Operator of Oakwood*  
–  
Oakwood

represented by **Fredrick Ryan Keith**  
Kentucky Cabinet for Health and Family  
Services  
Office of Legal Services  
275 E Main St 5W-B  
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**D. Brent Irvin**  
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*ATTORNEY TO BE NOTICED*

**Defendant**

**Governor of the Commonwealth of  
Kentucky**  
*Governor Ernie Fletcher*  
–  
Ernie Fletcher

represented by **Fredrick Ryan Keith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Johann Frederick Herklotz**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Kerry B. Harvey**  
(See above for address)  
*TERMINATED: 06/04/2010*  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**D. Brent Irvin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Secretary of the Cabinet for Health and  
Family Services**  
*Mark D. Birdwhistell, Secretary*  
–  
Mark Birdwhistell

represented by **Fredrick Ryan Keith**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

**Johann Frederick Herklotz**  
(See above for address)

*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kerry B. Harvey**  
(See above for address)  
*TERMINATED: 06/04/2010  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**D. Brent Irvin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Commissioner, Department of Mental  
Health and Mental Retardation  
Services in the Cabinet for Health and  
Family Services**

*John M. Burt, Commissioner*

—

John Burt

represented by **Fredrick Ryan Keith**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Johann Frederick Herklotz**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kerry B. Harvey**  
(See above for address)  
*TERMINATED: 06/04/2010  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**D. Brent Irvin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Deputy Commissioner of the Mental  
Health and Mental Retardation  
Services in the Cabinet for Health and  
Family Services**

represented by **Fredrick Ryan Keith**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Johann Frederick Herklotz**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Kerry B. Harvey**  
(See above for address)  
*TERMINATED: 06/04/2010  
LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**D. Brent Irvin**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

Date Filed	#	Docket Text
08/31/2006	<u>1</u>	COMPLAINT, filed by USA. (Attachments: # <u>1</u> Civil Cover Sheet and Case Assignment# <u>2</u> Certificate of the Attorney General Hon. Alberto R. Gonzalez)(CBD) (Entered: 08/31/2006)
08/31/2006	<u>2</u>	JOINT MOTION for Entry of Settlement Agreement by USA, Commonwealth of Kentucky (Attachments: # <u>1</u> Proposed Order for Entry of Settlement Agreement# <u>2</u>

		Tendered Settlement Agreement# <u>3</u> Tendered Exhibit A to Settlement Agreement – Pgs 1–74 Action Plan# <u>4</u> Tendered Exhibit A to Settlement Agreement – Pgs 75–104 Action Plan)(CBD) (Entered: 08/31/2006)
08/31/2006		***MOTION SUBMITTED TO CHAMBERS of Caldwell for review: <u>2</u> JOINT MOTION for Entry of Settlement Agreement by USA and Commonwealth of Kentucky (CBD) (Entered: 08/31/2006)
09/13/2006	<u>3</u>	PROPOSED ORDER FOR ENTRY OF SETTLEMENT AGREEMENT: Judgment shall be entered in this matter pursuant to the terms and conditions of the Settlement Agreement and its Exhibit A, the fully incorporated and enforceable Strategic Action Plan. This Court will retain jurisdiction over the case in accordance with the terms of the Settlement Agreement and its Exhibit A, the fully incorporated and enforceable Strategic Action. Signed by Judge Karen K. Caldwell. (AKR)cc: COR (Entered: 09/13/2006)
09/13/2006	<u>4</u>	SETTLEMENT AGREEMENT by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, USA, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services. ( <b>Filed pursuant to Order of Court <u>3</u></b> ) (Attachments: # <u>1</u> Exhibit A – Pages 1 – 74 of Action Plan# <u>2</u> Exhibit A – Pages 75 – 104 of Action Plan)(AKR) (Entered: 09/13/2006)
12/13/2006	<u>5</u>	NOTICE OF FILING by USA <i>Notice of Filing October 2006 Monitor's Report</i> (Attachments: # <u>1</u> Monitor's Rpt Pt 1# <u>2</u> Part 2# <u>3</u> Part 3# <u>4</u> Part 4# <u>5</u> Part 5)(Bohan, Mary) Additional attachment(s) added on 12/14/2006 (Dearborn, Christy). (Entered: 12/13/2006)
12/14/2006		NOTICE OF DEFICIENCY and NOTICE OF DOCKET MODIFICATION TO Mary Bohan re <u>5</u> Notice of Filing; <b>Error 1:</b> Pages 17–60 Part 1 and all pages of Parts 2–8 of Monitor's Report were sideways; Error by attorney; Correction: Clerk has rotated the pages and entered the corrected documents as separate attachments; At the browse screen within ECF, attorney should always open and view each PDF document before proceeding with the filing. <b>Error 2:</b> Parts 2, 3, and 4 of Monitor's Report exceeded the 2MB size limit; Entry made by attorney; Correction: Clerk has separated the PDF images into less than two (2) megabyte segments. Counsel is reminded that large documents may not upload properly to ECF or download within a reasonable amount of time, therefore, documents over 2 megabytes must be broken down into 2 megabytes, or less. <b>Error 3:</b> main document was scanned instead of converted into PDF format directly from the native word application. All pleadings created with a word application shall be converted to PDF format using PDF conversion software rather than being scanned. <b>Error 4:</b> attorney has failed to "type" name on the signature line.; The name of the Filing User under whose login and password the document is submitted must be preceded by an "s/" and typed in the space where the signature would otherwise appear. <u>No further action required by counsel as to this entry.</u> (cc: COR) (CBD) (Entered: 12/14/2006)
12/14/2006		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>5</u> Notice of Filing of Monitor's Report. (CBD) (Entered: 12/14/2006)
05/31/2007	<u>6</u>	NOTICE by USA <i>Notice of Substitution of Counsel</i> (Bohan, Mary) (Entered: 05/31/2007)
06/01/2007		***FILE SUBMITTED TO CHAMBERS of Caldwell for review: <u>6</u> Notice of Substitution. (CBD) (Entered: 06/01/2007)
06/14/2007	<u>7</u>	NOTICE by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services <i>Notice of Substitution of Counsel</i> (Herklotz, Johann) (Entered: 06/14/2007)
06/14/2007		***Attorney Johann Frederick Herklotz for Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family

		Services and Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services added pursuant to QC re: 63 . (AKR) (Entered: 06/15/2007)
06/15/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>7</u> Notice of substitution of counsel on behalf of defendants. (AKR) (Entered: 06/15/2007)
06/15/2007	<u>8</u>	NOTICE OF FILING by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services <i>Notice of Filing Court Monitor Report 2, April, 2007</i> (Attachments: # <u>1</u> Exhibit Court monitor report pages 1 – 19# <u>2</u> Exhibit Court monitor report pages 20 – 39# <u>3</u> Exhibit Court monitor report pages 40 – 59# <u>4</u> Exhibit Court monitor report pages 60 – 79# <u>5</u> Exhibit Court monitor report pages 80 – 99# <u>6</u> Exhibit Court monitor report pages 100 – 119# <u>7</u> Exhibit Court monitor report pages 120 – 139# <u>8</u> Exhibit Court monitor report pages 140 – 159# <u>9</u> Exhibit Court monitor report pages 160 – 179# <u>10</u> Exhibit Court monitor report pages 180 – 199# <u>11</u> Exhibit Court monitor report pages 200 – 219# <u>12</u> Exhibit Court monitor report pages 220 – 239# <u>13</u> Exhibit Court monitor report pages 240 – 259# <u>14</u> Exhibit Court monitor report pages 260 – 279# <u>15</u> Exhibit Court monitor report pages 280 – 299# <u>16</u> Exhibit Court monitor report pages 300 – 319# <u>17</u> Exhibit Court monitor report pages 320 – 339# <u>18</u> Exhibit Court monitor report pages 340 – 359# <u>19</u> Exhibit Court monitor report pages 360 – 379# <u>20</u> Exhibit Court monitor report pages 380 – 393)(Herklotz, Johann) Modified text in italics to better describe pleading on 6/18/2007 (Ratliff, Kay). (Entered: 06/15/2007)
12/27/2007	<u>9</u>	NOTICE OF FILING <i>Court Monitor Report #3</i> by USA (Attachments: # <u>1</u> Court Monitor Report #, Dated December 16, 2007)(Maddox, William) Modified text w/ better description on 12/28/2007 (CBD). (Entered: 12/27/2007)
12/28/2007		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>9</u> Notice of Filing Court Monitor Report #3 (CBD) (Entered: 12/28/2007)
06/25/2008	<u>10</u>	NOTICE OF FILING by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services <i>Notice of Filing Court Monitor Report 4, May 2008</i> (Attachments: # <u>1</u> Exhibit Court Monitor Report pages 1 to 13, # <u>2</u> Exhibit Court Monitor Report pages 14 to 25, # <u>3</u> Exhibit Court Monitor Report pages 26 – 51, # <u>4</u> Exhibit Court Monitor Report pages 52–71, # <u>5</u> Exhibit Court Monitor Report pages 72 – 91, # <u>6</u> Exhibit Court Monitor Report 92–111, # <u>7</u> Exhibit Court Monitor Report pages 112–131, # <u>8</u> Exhibit Court Monitor Report pages 132–151, # <u>9</u> Exhibit Court Monitor Report pages 152–171, # <u>10</u> Exhibit Court Monitor Report pages 172–191, # <u>11</u> Exhibit Court Monitor Report pages 192–211, # <u>12</u> Exhibit Court Monitor Report pages 212–231, # <u>13</u> Exhibit Court Monitor Report pages 232–251, # <u>14</u> Exhibit Court Monitor Report 252–271, # <u>15</u> Exhibit Court Monitor Report pages 272–291, # <u>16</u> Exhibit Court Monitor Report pages 292–311, # <u>17</u> Exhibit Court Monitor Report pages 312–331, # <u>18</u> Exhibit Court Monitor Report pages 332–351, # <u>19</u> Exhibit Court Monitor Report pages 352–371, # <u>20</u> Exhibit Court Monitor Report pages 372–391, # <u>21</u> Exhibit Court Monitor Report pages 392–411, # <u>22</u> Exhibit Court Monitor Report pages 412–431, # <u>23</u> Exhibit Court Monitor Report pages 432–451, # <u>24</u> Exhibit Court Monitor Report pages 452–471, # <u>25</u> Exhibit Court Monitor Report 472–491, # <u>26</u> Exhibit Court Monitor Report pages 492–511, # <u>27</u> Exhibit Court Monitor Report pages 512–519)(Harvey, Kerry) (Additional attachment(s) added on 6/26/2008: # <u>28</u> CORRECT Exhibit Court Monitor Report pgs1–13, # <u>29</u> CORRECT Exhibit Court Monitor Report pgs14–25, # <u>30</u> CORRECT Exhibit Court Monitor Report pgs26–51, # <u>31</u> CORRECT Exhibit Court Monitor Report pgs52–71, # <u>32</u> CORRECT Exhibit Court Monitor pgs72–91, # <u>33</u> CORRECT Exhibit Court Monitor Report pgs92–111, # <u>34</u> CORRECT Exhibit Court Monitor Report pgs112–131, # <u>35</u> CORRECT Exhibit Court Monitor Report pgs132–151, # <u>36</u> CORRECT Exhibit Court Monitor Report pgs152–171, # <u>37</u> CORRECT Exhibit



		Court Monitor Report pgs172–191, # <u>38</u> CORRECT Exhibit Court Monitor Report pgs192–211, # <u>39</u> CORRECT Exhibit Court Monitor Report pgs212–231, # <u>40</u> CORRECT Exhibit Court Monitor Report pgs232–251, # <u>41</u> CORRECT Exhibit Court Monitor Report pgs252–271, # <u>42</u> CORRECT Exhibit Court Monitor Report pgs272–291, # <u>43</u> CORRECT Exhibit Court Monitor Report pgs292–311, # <u>44</u> CORRECT Exhibit Court Monitor Report pgs312–331, # <u>45</u> CORRECT Exhibit Court Monitor Report pgs332–351, # <u>46</u> CORRECT Exhibit Court Monitor Report pgs352–371, # <u>47</u> CORRECT Exhibit Court Monitor Report pgs372–391, # <u>48</u> CORRECT Exhibit Court Monitor Report pgs392–411, # <u>49</u> CORRECT Exhibit Court Monitor Report pgs412–431, # <u>50</u> CORRECT Exhibit Court Monitor Report pgs432–451, # <u>51</u> CORRECT Exhibit Court Monitor Report pgs452–471, # <u>52</u> CORRECT Exhibit Court Monitor Report pgs472–491, # <u>53</u> CORRECT Exhibit Court Monitor Report pgs492–519) (AKR). (Entered: 06/25/2008)
06/25/2008		Attorney Update. Attorney Kerry B. Harvey for Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky and Secretary of the Cabinet for Health and Family Services added. (AKR) (Entered: 06/26/2008)
06/26/2008		NOTICE OF DOCKET MODIFICATION TO K. Harvey re <u>10</u> Notice of Filing Court Monitor Report ; ERROR: ALL pages of all exhibits were sideways; Entry by attorney; CORRECTION: Clerk has rotated the pages and entered the documents as separate attachments; <b>At the browse screen within ECF, the Attorney should always open and view each PDF document before proceeding with the filing; No further action required by counsel.</b> cc: COR (AKR) (Entered: 06/26/2008)
01/05/2009	<u>11</u>	NOTICE OF FILING by USA <i>Court Monitor Report 5</i> (Attachments: # <u>1</u> Court Monitor Report 5 Pages 1 – 40, # <u>2</u> Court Monitor Report 5 Pages 41–80, # <u>3</u> Court Monitor Report 5 Pages 81 – 120, # <u>4</u> Court Monitor Report Pages 121 – 160, # <u>5</u> Court Monitor Report 5 Pages 161 – 200, # <u>6</u> Court Monitor Report 5 Pages 201 – 240, # <u>7</u> Court Monitor Report 5 Pages 241 – 280, # <u>8</u> Court Monitor Report 5 Pages 281 – 320, # <u>9</u> Court Monitor Report 5 Pages 321 – 360, # <u>10</u> Court Monitor Report 5 Pages 361 – 400, # <u>11</u> Court Monitor Report 5 Pages 401 – 440, # <u>12</u> Court Monitor Report 5 Pages 441 – 480, # <u>13</u> Court Monitor Report 5 Pages 480 – 487)(Maddox, William) (Entered: 01/05/2009)
01/06/2009		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>11</u> Notice of Filing Court Monitor Report 5. (AKR) (Entered: 01/06/2009)
06/15/2009	<u>12</u>	NOTICE OF FILING "Court Monitor Report 6, May, 2009" by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services (Attachments: # <u>1</u> Exhibit Report Pages 1–40, # <u>2</u> Exhibit Report Pages 41–80, # <u>3</u> Exhibit Report Pages 81–120, # <u>4</u> Exhibit Report Pages 121–160, # <u>5</u> Exhibit Report Pages 161–200, # <u>6</u> Exhibit Report Pages 201–240, # <u>7</u> Exhibit Report Pages 241–280, # <u>8</u> Exhibit Report Pages 281–320, # <u>9</u> Exhibit Report Pages 321–360, # <u>10</u> Exhibit Report Pages 361–400, # <u>11</u> Exhibit Report Pages 401–440, # <u>12</u> Exhibit Report Pages 441–480, # <u>13</u> Exhibit Report Pages 481–519)(Harvey, Kerry) Modified by adding text "Court Monitor Report 6, May, 2009" to better describe pleading on 6/16/2009 (AKR). (Entered: 06/15/2009)
06/16/2009		***FILE SUBMITTED TO CHAMBERS of Karen Caldwell for review: <u>12</u> Notice of Filing Court Monitor Report 6, May, 2009. (AKR) (Entered: 06/16/2009)
06/04/2010	<u>13</u>	NOTICE of Appearance by Fredrick Ryan Keith on behalf of Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of

		the Cabinet for Health and Family Services (Keith, Fredrick) (Entered: 06/04/2010)
06/04/2010	<u>14</u>	NOTICE OF FILING of "Court Monitor Report 8, April 2010" by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services (Attachments: # <u>1</u> Exhibit Pages 1 – 160, # <u>2</u> Exhibit Pages 161 – 321, # <u>3</u> Exhibit Pages 322 – 482, # <u>4</u> Exhibit Pages 483 – 636)(Keith, Fredrick) Modified text for better description on 6/4/2010 (CBD). (Entered: 06/04/2010)
06/04/2010		Attorney Update. Attorney Kerry B. Harvey terminated. Substituted by F. Ryan Keith per DE <u>13</u> . (CBD) (Entered: 06/04/2010)
06/04/2010		NOTICE OF DOCKET MODIFICATION TO Frederick Keith re <u>14</u> Notice of Filing; Error: attachments were insufficiently described as "Exhibit." Entry by attorney; Correction: the Clerk renamed the attachments. Attachments must be adequately described. Example: Exhibit A (incorrect); Exhibit A Affidavit of John Doe (correct.) No further action required by counsel. cc: COR (CBD) (Entered: 06/04/2010)
12/13/2010	<u>15</u>	NINTH STATUS REPORT <i>Court Monitor Report 9</i> by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services. (Attachments: # <u>1</u> Exhibit Court Monitor Report 9 PART 1, # <u>2</u> Exhibit Court Monitor Report 9 PART 2, # <u>3</u> Exhibit Court Monitor Report 9 PART 3, # <u>4</u> Exhibit Court Monitor Report 9 PART 4, # <u>5</u> Exhibit Court Monitor Report 9 PART 5, # <u>6</u> Exhibit Court Monitor Report 9 PART 6, # <u>7</u> Exhibit Court Monitor Report 9 PART 7, # <u>8</u> Exhibit Court Monitor Report 9 PART 8, # <u>9</u> Exhibit Court Monitor Report 9 PART 9, # <u>10</u> Exhibit Court Monitor Report 9 PART 10, # <u>11</u> Exhibit Court Monitor Report 9 PART 11, # <u>12</u> Exhibit Court Monitor Report 9 PART 12, # <u>13</u> Exhibit Court Monitor Report 9 PART 13, # <u>14</u> Exhibit Court Monitor Report 9 PART 14, # <u>15</u> Exhibit Court Monitor Report 9 PART 15, # <u>16</u> Exhibit Court Monitor Report 9 PART 16, # <u>17</u> Exhibit Court Monitor Report 9 PART 17, # <u>18</u> Exhibit Court Monitor Report 9 PART 18, # <u>19</u> Exhibit Court Monitor Report 9 PART 19, # <u>20</u> Exhibit Court Monitor Report 9 PART 20, # <u>21</u> Exhibit Court Monitor Report 9 PART 21, # <u>22</u> Exhibit Court Monitor Report 9 PART 22, # <u>23</u> Exhibit Court Monitor Report 9 PART 23, # <u>24</u> Exhibit Court Monitor Report 9 PART 24, # <u>25</u> Exhibit Court Monitor Report 9 PART 25)(Keith, Fredrick) (Entered: 12/13/2010)
12/15/2010	<u>16</u>	SEVENTH STATUS REPORT <i>Court Monitor Report 7 October 2009</i> by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services. (Attachments: # <u>1</u> Exhibit Court Monitor Report 7 October 2009 – Part 1, # <u>2</u> Exhibit Court Monitor Report 7 October 2009 – Part 2, # <u>3</u> Exhibit Court Monitor Report 7 October 2009 – Part 3, # <u>4</u> Exhibit Court Monitor Report 7 October 2009 – Part 4, # <u>5</u> Exhibit Court Monitor Report 7 October 2009 – Part 5, # <u>6</u> Exhibit Court Monitor Report 7 October 2009 – Part 6, # <u>7</u> Exhibit Court Monitor Report 7 October 2009 – Part 7, # <u>8</u> Exhibit Court Monitor Report 7 October 2009 – Part 8, # <u>9</u> Exhibit Court Monitor Report 7 October 2009 – Part 9, # <u>10</u> Exhibit Court Monitor Report 7 October 2009 – Part 10, # <u>11</u> Exhibit Court Monitor Report 7 October 2009 – Part 11, # <u>12</u> Exhibit Court Monitor Report 7 October 2009 – Part 12, # <u>13</u> Exhibit Court Monitor Report 7 October 2009 – Part 13, # <u>14</u> Exhibit Court Monitor Report 7 October 2009 – Part 14, # <u>15</u> Exhibit Court Monitor Report 7 October 2009 – Part 15, # <u>16</u> Exhibit Court Monitor Report 7 October 2009 – Part 16, # <u>17</u> Exhibit Court Monitor Report 7 October 2009 – Part 17, # <u>18</u> Exhibit Court Monitor Report 7 October 2009 – Part 18, # <u>19</u> Exhibit Court Monitor Report 7 October 2009 – Part 19, # <u>20</u> Exhibit Court Monitor Report 7 October 2009 – Part 20, # <u>21</u> Exhibit Court Monitor Report 7 October 2009 – Part

		21, # <u>22</u> Exhibit Court Monitor Report 7 October 2009 – Part 22, # <u>23</u> Exhibit Court Monitor Report 7 October 2009 – Part 23, # <u>24</u> Exhibit Court Monitor Report 7 October 2009 – Part 24, # <u>25</u> Exhibit Court Monitor Report 7 October 2009 – Part 25)(Keith, Fredrick) (Entered: 12/15/2010)
08/08/2011	<u>17</u>	NOTICE of Appearance by D. Brent Irvin on behalf of Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services (Irvin, D.) (Entered: 08/08/2011)
08/08/2011	<u>18</u>	NOTICE OF FILING by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services (Attachments: # <u>1</u> Exhibit Court monitor report No. 10, part 1, # <u>2</u> Exhibit Court monitor report 10, part 2, # <u>3</u> Exhibit court monitor report 10, part 3, # <u>4</u> Exhibit court monitor report 10, part 4, # <u>5</u> Exhibit court monitor report 10, part 5 of 5)(Irvin, D.) (Entered: 08/08/2011)
08/09/2011		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>18</u> Notice of Filing Court Monitor Report No. 10. (AKR) (Entered: 08/09/2011)
09/28/2011	<u>19</u>	NOTICE by Commissioner, Department of Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Commonwealth of Kentucky, Deputy Commissioner of the Mental Health and Mental Retardation Services in the Cabinet for Health and Family Services, Governor of the Commonwealth of Kentucky, Secretary of the Cabinet for Health and Family Services, USA (Attachments: # <u>1</u> Proposed Order of Final Dismissal)(Irvin, D.) (Entered: 09/28/2011)
09/28/2011		***FILE SUBMITTED TO CHAMBERS of Judge Caldwell for review: <u>19</u> Notice of Final Dismissal. (AKR) (Entered: 09/28/2011)
09/29/2011	<u>20</u>	ORDER OF FINAL DISMISSAL: this case is dismissed. Signed by Judge Karen K. Caldwell on 9/29/2011.(AKR)cc: COR (Entered: 09/29/2011)