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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

ANNA MARIA WESTON, by her)
guardian Barbra Weston, et al.)
)
Plaintiffs,)
)
v.)
)
WYOMING STATE TRAINING SCHOOL,)
et al.)
)
Defendants.)

CIVIL ACTION NO. C90-0004

CONSENT DECREE AND ORDER

The Court, upon request of the parties for the approval and entry of a Consent Decree and Order, having reviewed the proposed Consent Decree and Order and the Stipulation Agreement, and being of the opinion that it is a fair and reasonable resolution of the issues in this action, hereby approves the proposed Consent Decree and Order and the Stipulation Agreement and directs entry thereof as follows:

Preliminary Statement

1. This action was brought by the named Plaintiffs on their behalf and on behalf of all persons with mental retardation registered on the rolls

of the Wyoming State Training School (WSTS), or who are at risk of being placed at WSTS, or who are being denied services within the State of Wyoming.

2. This action was brought as a class action pursuant to 42 U.S.C. Sec.1983 relative to declaratory and injunctive relief on behalf of all class members. This Court has certified the class sought by the Plaintiffs by order of the Court dated April 30, 1990 and filed the same day: all individuals with mental retardation currently at the Wyoming State Training School or who are currently or may in the future be at risk of placement at the Wyoming State Training School, including youths from birth to 21 years, adults and senior citizens.

3. The Stipulated Agreement of the parties and provisions of this Decree and Order are not to be construed to establish or modify any standard of civil or criminal liability of any official, employee, agent or representative of the Defendant State of Wyoming, or of the State itself, other than for the sole and limited purpose of this Decree and Order.

4. The Agreement of the parties and the terms of this Decree and Order were voluntary and mutually agreed upon by the Plaintiffs and the Defendants who are parties to this action. As a compromise settlement of the disputes between the parties, neither said Agreement nor this Decree and Order constitute admissions by the Defendants that any previous or existing condition, policy, procedure, act or admission of the State of Wyoming, its officials, employees, agents or representatives was, or is, in any way improper, negligent, unconstitutional, or in violation of any rights

of Plaintiffs. Nothing in this Decree and Order shall be deemed to constitute Findings of Facts or Conclusions of Law with respect to the claims or defenses of the parties to this action. The Defendants, by entering into this Decree, do not thereby admit to any violations of law regarding the allegations of the Complaint.

5. This Decree is entered into in good faith, and the full performance thereof is intended by all parties. The State of Wyoming agrees that this Decree is fully binding on the State of Wyoming and its officers, agents, successors and employees.

6. The parties hereto agree that, this Decree fully and completely resolves all issues raised in the Complaint by the named Plaintiffs and the class they represent.

The Stipulated Agreement

7. The parties to this action have submitted a proposed agreement to remedy any alleged failure by the State to constitutionally deliver individual program services and facilities to class members. The Court has accepted those recommendations, as submitted, and hereby incorporates that proposed Stipulation Agreement, attached hereto as Exhibit A, the same as if fully set forth herein.

It is, therefore, ORDERED, ADJUDGED AND DECREED:

1. Notice of this settlement was filed and copies of said settlement were made available for review upon request to all class members at the administrative offices of WSTS in Lander, Wyoming or at the office of the

Clerk of U.S. District Court in Casper and Cheyenne, Wyoming. Affidavits of publication are on file and no comments were received.


2. The Stipulated Agreement is hereby incorporated in this Decree and may be modified by additional stipulation of the parties or future court orders.

3. Pursuant to Rule 23(c)(3) of the Federal Rules of Civil Procedure, the class to which this Decree applies is defined as follows: "all individuals with mental retardation currently at the Wyoming State Training School or who are currently or may in the future be at risk of placement at the Wyoming State Training School, including youths from birth to 21 years, adults and senior citizens". The captioned lawsuit was filed January 3, 1990.

4. Unless otherwise indicated, all of the terms and conditions, set forth in the Stipulated Agreement and ordered by this Decree shall be implemented pursuant to the time deadlines set forth in the Stipulated Agreement. This Decree shall continue in full force and effect until December 31, 1994, or unless otherwise shortened or extended by the terms and conditions of the Stipulated Agreement or other Court orders, and the Court shall have continuing jurisdiction over this case for such period of time.

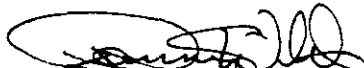
5. The Compliance Advisory Board shall submit a final written report to the Court prior to entry of the dismissal of this action.

DATED THIS 1st day of July, 1991.


DISTRICT COURT JUDGE
UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

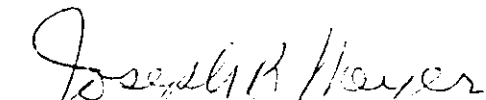
APPROVED:

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