

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James and Lorie Jensen, as parents, guardians,
and next friends of Bradley J. Jensen; James
Brinker and Darren Allen, as parents,
guardians, and next friends of Thomas M.
Allbrink; Elizabeth Jacobs, as parent, guardian,
and next friend of Jason R. Jacobs; and others
similarly situated,

Civil No. 09-1775 (DWF/BRT)

Plaintiffs,

v.

ORDER

Minnesota Department of Human Services,
an agency of the State of Minnesota; Director,
Minnesota Extended Treatment Options, a
program of the Minnesota Department of
Human Services, an agency of the State of
Minnesota; Clinical Director, the Minnesota
Extended Treatment Options, a program of
the Minnesota Department of Human Services,
an agency of the State of Minnesota; Douglas
Bratvold, individually and as Director of the
Minnesota Extended Treatment Options, a
program of the Minnesota Department of Human
Services, an agency of the State of Minnesota;
Scott TenNapel, individually and as Clinical
Director of the Minnesota Extended Treatment
Options, a program of the Minnesota Department
of Human Services, an agency of the State of
Minnesota; and the State of Minnesota,

Defendants.

Shamus P. O'Meara, Esq., and Mark R. Azman, Esq., O'Meara Leer Wagner & Kohl, PA,
counsel for Plaintiffs.

Nathan A. Brennaman, Deputy Attorney General, Scott H. Ikeda, Aaron Winter, and Anthony R. Noss, Assistant Attorneys General, Minnesota Attorney General's Office, counsel for State Defendants.

Before the Court are the *Olmstead* Plan Workplans ("Workplans"), submitted to the Court on October 9, 2015. (Doc. No. 515-2.) In its September 29, 2015 Order approving the *Olmstead* Plan, the Court reserved ruling on the *Olmstead* Plan's implementation plan, indicating that it would do so following the submission of these Workplans. (Doc. No. 510 at 14.) The Court also indicated it would review and approve the implementation plan based on the recommendations and input of Magistrate Judge Becky R. Thorson. (*Id.* at 15.)

On October 14 and October 26, 2015, Magistrate Judge Thorson held settlement meetings with the parties in part to discuss the Workplans. (Doc. Nos. 516, 519.) Based upon the submissions and presentations of the parties, the entire record before the Court, and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. The Court **APPROVES** the State's *Olmstead* Plan Workplans. (Doc. No. [515-2].)
2. The Court notes that these Workplans cover only a "one to two year time period," (Doc. No. 515-1), and "[a]djustments may be made to the workplans pending review by Magistrate Judge Becky R. Thorson . . . and approval of the Court." (*Id.*) The Court reserves the right to exercise its continuing jurisdiction to ensure that compliance

with the Settlement Agreement is verified going forward. The Court will continue to carry out its oversight responsibility as the Workplans are updated to oversee the State's efforts in following through on the commitments it has made.

3. In a subsequent Order, the Court will identify a reporting schedule for the State to submit periodic reports to the Court on the *Olmstead* Plan's implementation.

Dated: November 6, 2015

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge