

**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.

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

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

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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 the corresponding Workplans. (Doc. No. 510 at 14.) On October 9, 2016, the Department of Human Services filed the *Olmstead* Plan's initial Workplans. (Doc. No. 515-2.) On November 6, 2015, the Court approved the State's initial set of *Olmstead* Plan Workplans. (Doc. No. 521.) On May 31, 2016, Defendants submitted an updated *Olmstead* Plan incorporating new goals on Assistive Technology and Preventing Abuse and Neglect. (Doc. No. 571.) The Court approved the updated *Olmstead* Plan on June 21, 2016. (Doc. No. 578.)

Before the Court now are additional *Olmstead* Plan Workplans ("Workplans"), submitted to the Court on August 1, 2016, which relate to the new goals on Assistive Technology and Preventing Abuse and Neglect. (Doc. No. 581-1.) Based on 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 additional *Olmstead* Plan Workplans. (Doc. No. 581-1.)

2. The Court notes that these Workplans cover only a “one to two-year time span,” (Doc. No. 581), and “are intended to be flexible blueprints capable of modification when necessary to better accomplish strategies.” (*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.

Dated: August 29, 2016

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