

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

WALTER BARRY, by his next  
friend, Elaine Barry, and Heather  
Woodward, on behalf of themselves  
and all others similarly situated,

Case No. 13-cv-13185  
Hon. Judith E. Levy

Plaintiff,

v

**STIPULATION AND ORDER  
TO DISMISS SHOW CAUSE**

NICK LYON, in his official capacity  
as Director, Michigan Department of  
Health and Human Services,

Defendant.

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## **STIPULATION AND ORDER TO DISMISS SHOW CAUSE**

The parties, through their undersigned counsel, stipulate:

1. On September 23, 2015, the parties filed a Settlement Agreement, D/E 169, entered into at the settlement conference with Magistrate Judge Grand on September 22, 2015.
2. The Settlement Agreement specifies that the “pending Motion to Show Cause shall be dismissed with prejudice as to any contempt occurring prior to the date of this settlement once all of the following steps have been taken,” and then specifies five actions that must be taken in order for the dismissal to occur. (D/E 169, at Pg. ID 5354.)
3. The parties agree that the steps outlined in the Settlement Agreement Re Motion to Show Cause, Dkt 125 (D/E 169, at Pg. ID 5354-5358) have been taken.
4. Plaintiffs’ class counsel is confident that Defendant will continue to provide missing information and to correct inaccurate or incomplete information if problems are identified in the future.
5. Accordingly, the pending Motion to Show Cause should be dismissed with prejudice.

Stipulated to by:

Date: March 29, 2016

/s/Joshua S. Smith  
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Date: March 29, 2016

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Date: March 29, 2016

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**ORDER TO DISMISS SHOW CAUSE**

The steps outlined in the Settlement Agreement Re Motion to Show Cause, Dkt 125 (D/E 169, at Pg. ID 5354-5358) have been taken. Accordingly, the pending Motion to Show Cause is dismissed with prejudice.

IT IS SO ORDERED.

Dated: March 30, 2016  
Ann Arbor, Michigan

s/Judith E. Levy  
JUDITH E. LEVY  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on March 30, 2016.

s/Felicia M. Moses  
FELICIA M. MOSES  
Case Manager