

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

JULIA M, on her behalf and on behalf of her minor child, J.W.M., and all others similarly situated,

Plaintiffs,

v. Case No. 07-4036-CV-C-NKL

DEBORAH E. SCOTT, as the Director of the Missouri Department of Social Services, JANEL R. LUCK, as the Interim Director of the Missouri Family Support Division, and STEVE RENNE, as the Interim Director of the Missouri Division of Medical Services,

Defendants.

ORDER

Having reviewed the Release and Settlement Agreement, having conducted a fairness hearing pursuant to Fed. R. Civ. P. 23(e), and having heard the argument of plaintiffs' and defendants' counsel, and being fully advised in the premises, this Court finds that the proposed release and settlement is fair, reasonable, and adequate. On June 25, 2007, this Court certified a class consisting of "All children residing in Missouri and who are receiving or who will receive MC+ health coverage and are required to pay a premium under Mo. Rev. Stat. § 208.640."

On July 9, 2007, this Court granted plaintiffs' motion for a preliminary injunction against defendants, enjoining defendants from terminating the MC+ coverage of any plaintiff class member due to non-payment without mailing a notice ten days prior to terminating coverage, informing the participant of the right to request a hearing within ten days, and to receive continued benefits pending the outcome of the hearing. The preliminary injunction order further enjoined

defendants to conduct ex parte reviews of individual recipients' eligibility under any other Medicaid program prior to terminating MC+ benefits for non-payment of a premium.

This Court further finds that the proposed settlement agreement executed by the attorneys for the parties protects the interests of members of the class and that the interests of the members of the class would not be prejudiced by the proposed settlement and release.

NOW, THEREFORE, IT IS:

ORDERED that the proposed settlement with defendants by plaintiffs in the manner set forth in the Release and Settlement Agreement is fair, adequate, and reasonable, and the same is hereby authorized and approved; it is further

ORDERED that under Fed. R. Civ. P. 41(a)(2) the claims of the plaintiffs are dismissed in their entirety with prejudice; it is further

ORDERED that this Court retains jurisdiction until October 15, 2008, or such later date as may be necessary under Paragraph 16 of the Settlement Agreement, for purposes of enforcement of the Settlement Agreement. Each party to bear its own costs beyond those already apportioned by the settlement agreement.

DATED: April 21, 2008

s/ NANETTE LAUGHREY
The Honorable Nanette Laughrey
U.S. District Court Judge