

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LEAH JIMMIE, JOSETTE HALECHKO,	:	
LEWIS BOWERS, and JANICE SLATER,	:	
by and through their next friend, Carl	:	
Mosier; RONALD PEARSON and	:	
WILLIAM SACKS, by and through their	:	
next friend, Connie Hammann; EDWARD	:	
NAUSS and BENJAMIN PERRICK, by	:	
and through their next friend, Akhnaton	:	
Browne, on behalf of themselves and all	:	
others similarly situated,	:	
	:	
Plaintiffs,	:	Filed via ECF System
	:	
v.	:	Civil Action No. 3:09-cv-1112-TIV
	:	
DEPARTMENT OF PUBLIC WELFARE	:	Class Action
OF THE COMMONWEALTH OF	:	
PENNSYLVANIA and ESTELLE B.	:	(Judge Vanaskie)
RICHMAN, in her official capacity as	:	
Secretary of Public Welfare of the	:	
Commonwealth of Pennsylvania,	:	
	:	
Defendants.	:	

**PLAINTIFFS' UNOPPOSED
MOTION FOR CLASS CERTIFICATION**

Pursuant to Federal Rules of Civil Procedure 23(a) and 23(b)(2), Plaintiffs, through their counsel and next friends, submit this Unopposed Motion for Class Certification. Plaintiffs request that the Court certify this case to proceed on behalf of

the following class:

All individuals with mental retardation who are institutionalized in state psychiatric facilities and who are not subject to the jurisdiction of the criminal courts.

In support of this Motion, Plaintiffs submit a Certificate of Concurrence, a Brief in Support of Class Certification and Exhibits, which are incorporated by reference in this Motion.

Respectfully

submitted,

Dated: September 2, 2009

By: /s/ Robert W. Meek

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

The undersigned hereby certifies that Plaintiffs' Unopposed Motion for Class Certification, Brief and Exhibits in Support of that Unopposed Motion for Class Certification, and proposed Order, were served with the Court's ECF system on the following counsel who consented to electronic service:

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/s/ Robert W. Meek
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