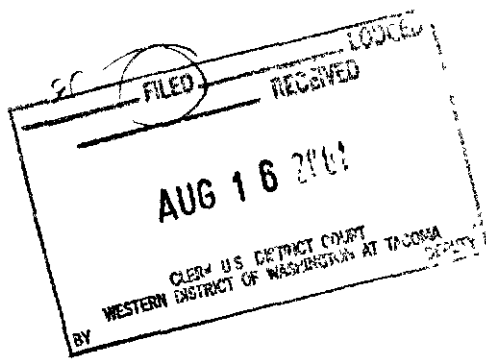


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26



THE HONORABLE FRANKLIN D BURGESS

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

The Arc of Washington State, Inc , a
Washington corporation, on behalf of its
members, et al ,

Plaintiffs,

v

LYLE QUASIM, in his official capacity as
the Secretary of the Washington
Department of Social and Health Services,
the Washington State Department of
Social and Health Services, et al ,

Defendants

NO C99-5577 FDB

MOTION FOR
PRELIMINARY APPROVAL
OF CLASS SETTLEMENT



COME NOW the parties, by and through their respective counsel, and hereby jointly move
this Honorable Court, pursuant to FRCP 23(e) and Local Rule WD Wash CR7(b), for
preliminary approval of the class settlement including a preliminary finding of fairness of the
proposed settlement of the above entitled action, for temporary approval of a revised class, and for
issuance of the notice of proposed settlement This motion is based on the files and pleadings
herein, and the accompanying Memorandum in Support of Motion for Preliminary Approval of the
Class Settlement Agreement, together with the accompanying Notice of Pendency of Class Action,
Proposed Temporary Approval of Revised Class, Proposed Settlement and Hearing, and upon the
Settlement Agreement herein

MOTION FOR PRELIMINARY APPROVAL
OF CLASS SETTLEMENT

1

LAW OFFICES OF LARRY A. JONES
2118 EIGHTH AVENUE
SEATTLE, WASHINGTON 98102
TELEPHONE 206-405-1240

ORIGINAL

149

1 The parties move the court for an order as follows

2 1. For a preliminary fairness finding by the court of the terms and conditions of the
3 proposed class action settlement, as set forth in the accompanying Settlement Agreement, Notice
4 of Pendency of Class Action, Proposed Temporary Approval of Revised Class, Proposed
5 Settlement and Hearing, and Memorandum in Support of Motion for Preliminary Approval of the
6 Class Settlement Agreement

7 2 For temporary approval for settlement purposes, of the revised class definition from
8 the definition previously certified by this Court The proposed revised definition is "All DDD
9 clients who are eligible for ICF/MR and/or HCBS waiver services administered by DDD in the
10 State of Washington and who are not receiving all the services they need with reasonable
11 promptness and those who may become similarly situated in the future prior to December 31,
12 2006 "

13 3 For Court issuance of the accompanying Notice of Pendency of Class Action,
14 proposed Temporary Approval of Revised Class, and Proposed Settlement and Hearing, with two
15 scheduling dates established therein to wit:

16 (i) one establishing a cut-off date for objecting class members or persons
17 seeking intervention to file their Notice of Intention to Appear together with any papers for the
18 Court and counsel to consider, said date to be inserted at page 8 of the Notice, and

19 (ii) the other date establishing the actual hearing date and time for objecting

20 //
21 //
22 //
23 //
24 //
25 //
26 //

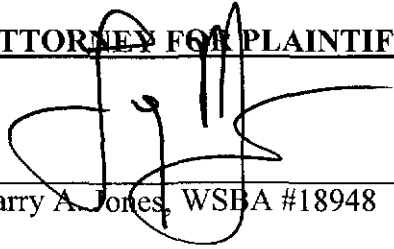
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

//

class members or persons seeking intervention to appear and be heard in support of their positions,
said date to be inserted at page 2 of the Notice

Respectfully submitted on the date of filing

ATTORNEY FOR PLAINTIFFS

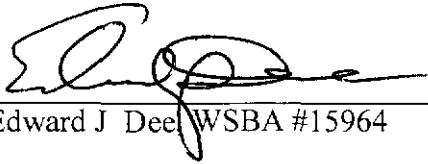


Larry A. Jones, WSBA #18948

8-15-01

Date

ATTORNEY FOR DEFENDANTS



Edward J. Deel, WSBA #15964

8/15/01

Date