

THE HON. MARSHA J. PECHMAN

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

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

A.B., by and through her next friend CASSIE
CORDELL TRUEBLOOD, *et al.*,

Plaintiffs,

v.

WASHINGTON STATE DEPARTMENT OF
SOCIAL AND HEALTH SERVICES, *et al.*,

Defendants.

No. 14-cv-01178-MJP

~~(PROPOSED)~~ ORDER GRANTING
FINAL APPROVAL OF AMENDED
SETTLEMENT AGREEMENT

Upon consideration of the Parties' joint motion pursuant to Federal Rule of Civil Procedure 23(e) for final approval of the settlement of this Action ("Joint Motion for Final Approval of Settlement Agreement"), and in accordance with the Parties' Amended Settlement Agreement, which sets forth the terms and conditions for a proposed settlement of the claims in this action, the Court, having heard the Parties, reviewed Class Member comments, and considered the Amended Settlement Agreement, orders as follows:

1. Based on the record before it, the Court finds, pursuant to Federal Rule of Civil Procedure (FRCP) 23(e), that the Amended Settlement Agreement attached as Appendix 1 to the Motion for Preliminary Approval (ECF 599-1), is fair, reasonable, and adequate. The Court

1 finds that: (a) the class representatives and class counsel have adequately represented the class; (b)
2 the proposal was negotiated at arm's length; (c) the relief provided for the class is adequate, taking
3 into account: (i) the costs, risks, and delay of trial and appeal; (ii) the effectiveness of any the
4 proposed method of distributing relief to the class, including the method of processing class-
5 member claims, if required; (iii) the terms of any proposed award of attorney's fees, including
6 timing of payment; and (iv) any agreement required to be identified under Rule 23(e)(3); and (d)
7 the proposal treats class members are treated equitably relative to each other.

8 2. The Court also finds that the class was provided with adequate notice, and due
9 process has been satisfied in connection with the distribution of the notice.

10 IT IS HEREBY ORDERED that:

- 11 1) The Amended Settlement Agreement, Appendix 1 to the Motion for Preliminary
12 Approval (ECF 599-1), is approved as fair, reasonable, and adequate under FRCP 23,
13 and its terms shall bind class members.
- 14 2) The Parties to the Amended Settlement Agreement shall perform all of their obligations
15 thereunder. The Court shall retain jurisdiction over this matter until the Amended
16 Settlement Agreement is terminated pursuant to Section V (B) of the Amended
17 Settlement Agreement.
- 18 3) Effective December 1, 2018, contempt judgments relating to ECF 289 (Order of Civil
19 Contempt) shall be suspended as set forth in section V(A)(1) of the Amended
20 Settlement Agreement.

21 It is so ORDERED this 11 day of Dec, 2018.



Hon. Marsha J. Pechman
United States District Judge

1 Presented by:

2 /s/ Amber Leaders
3 Nicholas A. Williamson, WSBA No. 44470
4 Amber L. Leaders, WSBA No. 44421
5 Randy Head, WSBA No. 48039
6 Office of the Attorney General
7 7141 Cleanwater Drive SW
8 P.O. Box 40124
9 Olympia, WA 98504-0124
10 (360) 586-6565
11 NicholasW1@atg.wa.gov
12 AmberL1@atg.wa.gov
13 RandyH@atg.wa.gov

9 *Attorneys for Defendants*

/s/ Alexa Polaski
David R. Carlson, WSBA No. 35767
Kimberly Mosolf, WSBA No. 49548
Alexa Polaski, WSBA No. 52683
Disability Rights Washington
315 Fifth Avenue South, Suite 850
Seattle, WA 98104
(206) 324-1521
davidc@dr-wa.org
kimberlym@dr-wa.org
alexap@dr-wa.org

/s/Christopher Carney
Christopher Carney, WSBA No. 30325
Sean Gillespie, WSBA No. 35365
Kenan Isitt, WSBA No. 35317
Carney Gillespie Isitt PLLP
315 5th Avenue South, Suite 860
Seattle, Washington 98104
(206) 445-0212
Christopher.Carney@cgilaw.com

14 *Attorneys for Plaintiffs*