



STATE OF MINNESOTA

OFFICE OF THE ATTORNEY GENERAL

April 12, 2019

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VIA CM/ECF PURSUANT TO DOC. 729

The Honorable Donovan W. Frank
Senior U.S. District Judge, District of Minnesota
United States District Court
724 Warren E. Burger Federal Building
and U.S. Courthouse
316 North Robert Street, Suite 724
St. Paul, MN 55101

**Re: *James and Lori Jensen, et al. v. Minnesota Department of Human Services, et al.*
U.S. District Court File No. 09-CV-01775-DWF-BRT**

Dear Judge Frank:

I write on behalf of State Defendants in connection with the Court's April 9, 2019 Order allowing the parties to submit additional proposed agenda items for the April 16, 2019 Status Conference. Doc. 729, p. 3.

As the Court knows, on July 2, 2018, State Defendants submitted a letter proposing an agenda item for the July 12, 2018 Biannual Status Conference in this matter "to address the applicable legal standard the Court is using to determine the circumstances under which it will end its involvement in this matter, including what specific actions remain outstanding." Doc. 690. The Court added that item to the agenda governing the July 12, 2018 Biannual Status Conference. Doc. 691, pp. 5-6. While the Court did not set forth the applicable legal standard at the July 12, 2018 Biannual Status Conference, or what specific actions remain outstanding, it stated one week thereafter that, after receipt of certain reports due August 31, 2018, it would "issue an order . . . establish[ing] how the Court intends to address the applicable legal standard to determine the circumstances under which it will end its involvement in this matter." Doc. 693, p. 3. The Court's intervening orders, however, did not address the issue. *See Docs. 704, 707, 729.*

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Accordingly, State Defendants respectfully propose that the Court add an agenda item to address the applicable legal standard the Court is using to determine the circumstances under which it will end its involvement in this matter, including what specific actions remain outstanding. State Defendants also respectfully propose that this be discussed immediately following agenda item number 3, "Overview by the Court." *See* [Doc. 729, p. 3](#).

Sincerely,

s/ Scott H. Ikeda

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cc: Shamus O'Meara, Esq. (*via CM/ECF only*)