

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

James and Lorie Jensen, as parents,
Guardians and next friends of Bradley J.
Jensen, et al.,

Civil No. 09-1775 (DWF/FLN)

Plaintiffs,

v.

ORDER

Minnesota Department of Human Services,
An agency of the State of Minnesota, et al.,

Defendants.

M. Ann Mullin, Esq., Mark R. Azman, Esq., and Shamus P. O'Meara, Esq., Johnson & Condon, PA, counsel for Plaintiffs.

P. Kenneth Kohnstamm and Steven H. Alpert, Assistant Attorneys General, Minnesota Attorney General's Office, counsel for State Defendants.

Samuel D. Orbovich, Esq., and Christopher A. Stafford, Esq., Fredrikson & Byron, PA, counsel for Defendant Scott TenNapel

The above-referenced matter came before this Court on July 20, 2001 for a status conference. All parties were represented by counsel of record. After reviewing this matter with counsel and considering all submissions and the status of the class action settlement process to date, the Court hereby issues the following Order:

1. Pursuant to Fed. R. Civ. P. 17(c) 2, the discretion provided this Court under the Class Action Settlement Agreement, and pursuant to the inherent equitable authority of this Court, the Court hereby orders that each guardian, conservator, or other individual

with existing legal authority to act on behalf of any individual identified as a class member in this litigation, is hereby authorized and appointed by this Court to review with and explain to the class member and any other legal representative of the class member, the Notice and class action settlement agreement documents mailed to them by Settlement Class Counsel. That said person with legal authority is further authorized to execute and submit the Claim Form necessary for the class member to be included in the Court's determination of the apportionment of the settlement payment under the settlement agreement, or to execute and submit the Request for Exclusion (Opt Out) form in order to be excluded from the class action settlement and any portion of the settlement payment.

2. Any person with legal authority referenced in paragraph one above is also encouraged to interact with Settlement Class Counsel concerning the Settlement Notice and class action settlement agreement provisions and process. Settlement Class Counsel contact information is:

Shamus P. O'Meara (#221454)
Johnson & Condon, P.A.
7401 Metro Boulevard, Suite 600
Minneapolis, MN 55439-3034
(952) 806-0438
SPO@Johnson-Condon.com

3. Should any person with legal authority referenced in paragraph one above believe it is necessary to obtain an Order from this Court which specifically references them individually to effectively act as ordered in paragraph one above, they shall send a letter to this Court, with a copy to Settlement Class Counsel (who will promptly forward

copies to counsel for the other parties), no later than August 1, 2011 with any such request for the Court's consideration. The submission by any such person shall not exempt them from compliance with this Order.

IT IS SO ORDERED.

Dated: July 22, 2011

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge