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MAR 18 2015

BY: REB. HD

Minnesota Olmstead Subcabinet

March 18, 2015

The Honorable Donovan W. Frank
United States District Court
724 Federal Building
316 North Robert Street
St. Paul, MN 55101

By Hand-Delivery

David Ferleger, Esq.
Independent Consultant and Court Monitor
Archways Professional Building
413 Johnson Street, Suite 203
Jenkintown, PA 19046

By E mail

RE: Response to the Court's January 9, 2015 Order, *Jensen, et al. v. Department of Human Services, et al.*, [Doc 378] Civil No. 09-cv-1775 (DWF/FLN)

Dear Judge Frank:

We write seeking clarification on the scope of the Court's January 9, 2015 Order requiring the State to submit a revised Olmstead Plan by March 20, 2015. Because the Order provisionally approved the revised November 1, 2014 Plan, we understood it to mean that the Court did not intend the State to revise the provisionally approved portions, but only to revise the specific items found to be deficient.

Yesterday, the court monitor met with Chair Tingerthal and other Olmstead staff. The court monitor said the Court told him that the January 9th Order was to apply broadly, not just to specific items mentioned in the Order. Because we did not proceed with that understanding, we are not prepared to submit a Plan that meets those requirements.

We request the Court to extend the March 20 due date to allow for clarification of the Court's January 9 Order. After clarification, we request the Court to allow us to submit for the Court's approval, a timetable and work plan for revision of the Plan.

Sincerely,



Mary Tingerthal, Chair Minnesota Olmstead Subcabinet
Commissioner
Minnesota Housing Finance Agency



Lucinda E. Jesson
Commissioner
Minnesota Department of Human Services

cc: Shamus O'Meara, Attorney for Plaintiffs
Roberta Opheim, Ombudsman for Mental Health and Developmental Disabilities
Colleen Wieck, Executive Director for the Governor's Council on Developmental Disabilities
Scott Ikeda, Assistant Attorney General
Anne Barry, DHS Deputy Commissioner
Amy Akbay, DHS Chief General Counsel
Darlene Zangara, Executive Director, Olmstead Implementation Office