

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

James and Lorie Jensen, et al.,

Case No. 09-cv-01775 (DWF/BRT)

Plaintiffs,

vs.

Minnesota Department of Human  
Services, et al.

**DECLARATION OF MARGARET  
FLETCHER-BOOTH, PH.D**

Defendants.

I, Margaret Fletcher-Booth, pursuant to 28 U.S.C. § 1746, hereby declare as follows:

1. I am employed by the Minnesota Department of Human Services (“Department”) as Director of Quality Assurance and Disability Compliance Services (“QADC”). QADC was formerly known as the Jensen/Olmstead Quality Assurance and Compliance Office (“JOQACO”). This declaration is based on my personal knowledge.

2. The Department entered into a contract with Dr. Gary W. LaVigna, Ph.D., BCBA-D, to fulfill the Subject Matter Expert role the Court ordered in its June 17, 2019 Order relating to use of prohibited techniques and staff training. The contract established, in part, that Dr. LaVigna would be paid \$500 per hour, for a maximum of 120 billable hours.

3. Dr. LaVigna submitted an invoice to the Department, dated October 20, 2019, for his work related to the Court’s June 17, 2019 Order; a true and correct copy of that invoice is attached hereto as Exhibit 1. The invoice reflects that Dr. LaVigna worked

for 151 hours, but that he only billed the Department \$60,000, based on billing for a maximum of 120 hours of service at \$500 per hour.

4. I reviewed and approved Dr. LaVigna's invoice and submitted it for payment through the Department.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

1/9/2020

Margaret Fletcher-Booth  
MARGARET FLETCHER-BOOTH

UNITED STATES DISTRICT COURT  
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*James and Lorie Jensen, et al.,*

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*Defendants.*

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Declaration of Margaret Fletcher-Booth, Ph.D

# **Exhibit 1**



October 20, 2019

State of Minnesota  
Dept. of Human Services  
Health Care Administration

Attn: Peg Booth

Invoice

<u>Hours:</u> 151 hours of service; 120 hours maximum allowed @ \$500 per hour. (See below.)	<u>Total</u> \$60,000.00
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Total due	<u>\$60,000.00</u>
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Hours of service provided: Week Ending 8/4/19 – 4 hours; 8/11/19 – 4 hrs; 8/18/19 – 7 hrs;  
8/25/19 – 8 hrs; 9/1/19 – 22 hrs; 9/8/19 – 21 hrs; 9/15/19 – 21 hrs; 9/22/19 – 20 hrs;  
9/29/19 – 20 hrs; 10/6/19 – 12 hrs; 10/20/19 – 12 hrs.

Total Hours: 151 hours of service; 120 hours maximum allowed.

Thank you,

A handwritten signature in black ink, appearing to read 'Gary W. LaVigna', with a stylized, cursive script.

Gary W. LaVigna, Ph.D., BCBA-D  
Co-founder