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July 27, 2020

VIA CM/ECF ONLY

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 Lorie 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:

State Defendants write regarding the two invoices recently submitted by Dr. Gary LaVigna and filed on July 16, 2020 (Docs. 857 and 858), and pursuant to the Court's orders regarding objections to these invoices ([Doc. 859](#)). These invoices apply to work completed in May and June, 2020.

After Defendants expressed concern about the lack of detail in prior invoices from Dr. LaVigna (*see* [Doc. 841](#)),¹ the Court issued an order directing Dr. LaVigna, "[t]o the extent he is able to do so retroactively . . . [to] resubmit his invoice identifying specific services, the date on which those services were performed, and the amount of time spent on each service each day. Moreover, all subsequent invoices shall be required to include this information." [Doc. 842](#). When Dr. LaVigna resubmitted those previous invoices in response to the Court's order, Defendants noted that "[w]hile both invoices provide more detail than the original invoices Dr. LaVigna submitted ([Doc. 834](#) and 839), they do not fully address the concerns expressed in State Defendants' May 27 letter or the Court's subsequent order. Specifically, the invoices do not provide information about what particular work was done on each day. [Doc. 844, 845.](#)" [Doc. 849](#).

¹ Specifically, Defendants asked that Dr. LaVigna be directed "to include information related to dates of work and work performed in future invoices." [Doc. 841, p. 2.](#)

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Dr. LaVigna's most recent invoices still do not remedy this problem. They instead list the amount of hours spent on each day and then contain a description of the work Dr. LaVigna completed in the applicable month generally. State Defendants therefore leave to the Court to decide whether it has enough information to justify the expenditures in light of the invoices' obvious noncompliance with the Court's order.

Sincerely,

s/ Scott H. Ikeda

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