



MR-TN-0002-0006

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

NOV 15 1996

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U.S. DISTRICT COURT
MID. DIST. TENN.

PEOPLE FIRST OF TENNESSEE,
et al.,

Plaintiffs,

v.

CLOVER BOTTOM
DEVELOPMENTAL CENTER, et al.,

Defendants.

Civil Action No. 95-1227
Judge Echols

ORDER

Upon consideration of the Motion for Preliminary Approval of the Settlement Agreement filed by the plaintiffs in this matter, it is hereby ORDERED on this

21st day of November, 1996 as follows:

1. The proposed Settlement Agreement is preliminarily approved.
2. The Notice of Proposed Class Action Settlement attached to the Motion as Exhibit B is approved.
3. Counsel for Defendants will provide counsel for Plaintiffs with the names and addresses of all persons discharged from the Clover Bottom Developmental Center, the Greene Valley Developmental Center and the Nat T. Winston Developmental Center since December 22, 1992 as well as their family members, guardians, next friends or responsible parties. Counsel for Plaintiffs will send those former residents and their family members, guardians, or next friends the Notice of Proposed Class Action Settlement by first class mail,

postage prepaid, on or before December 30, 1996, four weeks prior to the final approval hearing scheduled in Paragraph 7 of this Order.

4. Counsel for Defendants will provide each current resident of the Clover Bottom, Greene Valley and Nat T. Winston Developmental Centers with the Notice of Proposed Class Action Settlement on or before December 30, 1996, four weeks prior to the final approval hearing scheduled in Paragraph 7 of this Order.

5. Counsel for Defendants will provide counsel for Plaintiffs with the names and addresses of the family members, guardians or next friends for each current resident of the Clover Bottom, Greene Valley and Nat T. Winston Developmental Centers. Counsel for Plaintiffs will send those persons the Notice of Proposed Class Action Settlement by first class mail, postage prepaid, on or before December 30, 1996, four weeks prior to the final approval hearing scheduled in Paragraph 7 of this Order.

6. Counsel for Plaintiffs and counsel for Defendants will provide Certificates of Notice to this Court on or before January 13, 1997, two weeks prior to the final approval hearing scheduled in Paragraph 7 of this Order. The Certificates of notice will indicate how and when the notice to class members required by this Order was accomplished.

7. A hearing on final approval of the proposed Settlement Agreement is hereby scheduled for January 27, 1997 at 2:00 p.m.

8. Class members and/or their family members, guardians or next friends who wish to participate in the hearing must notify the Court in writing of their intent to participate on or before January 20, 1997, seven days prior to the hearing.

9. Any letters from class members or their family members, guardians, or next friends in support of or opposition to the proposed Settlement Agreement must be received in writing by the Clerk of this Court on or before January 20, 199~~7~~, seven days prior to the final approval hearing scheduled in Paragraph 7 of this Order.

10. The parties shall file with the Court memoranda of law in support of final approval of the proposed settlement on or before January 13, 199~~7~~, fourteen days prior to the final approval hearing scheduled in Paragraph 7 of this Order.

A handwritten signature in black ink, appearing to read "Robert L. Echols", is written over a horizontal line.

Honorable Robert L. Echols
United States District Judge