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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

EMILY Q. et al.,

Plaintiffs,

v.

SANDRA SHEWRY,

Defendant.

) CASE NO. CV 98-4181 AHM (AJWx)

) **[Proposed]**
) **ORDER APPROVING EXIT PLAN**
) **Re: CRITERIA FOR**
) **PERFORMANCE AND**
) **TERMINATION OF**
) **JURISDICTION**

) Honorable A. Howard Matz

) Date: March 12, 2009
) Time: 3:00 P.M.
) Courtroom: 14

**ORDER APPROVING EXIT PLAN
Re: CRITERIA FOR PERFORMANCE AND TERMINATION OF
JURISDICTION**

The Court has reviewed the Special Master’s Third Quarterly Report, which included a proposed Exit Plan regarding criteria for performance and termination of jurisdiction, and the parties’ respective filings in response to this report and plan. The Court held a hearing on March 12, 2009, in which the parties and the Special Master had an opportunity to be heard regarding this Exit Plan and its

1 impact on the provision of Therapeutic Behavioral Services (“TBS”). In response
2 to directions from the Court at the hearing, the Special Master revised the Exit
3 Plan, which has now been submitted to the Court in final form.

4 At the hearing, plaintiffs withdrew their objections to the Exit Plan, while
5 reserving their right, without prejudice, to renew these and/or other objections at a
6 later date whenever the Special Master determines that the criteria in the Exit Plan
7 have been satisfied and recommends that jurisdiction be terminated.

8 **GOOD CAUSE HAVING BEEN SHOWN:**

9 1. The Court hereby approves and ADOPTS the Exit Plan regarding Criteria
10 for Performance and Termination of Jurisdiction, attached hereto as Exhibit A and
11 incorporated herein by reference.

12 2. The Amended Judgment in this matter generally imposes certain duties
13 on the following individuals and entities: “Defendant Diana Bonta (as the Director
14 of the California Department of Health Care Services), her successor in office,
15 agents, employees and all persons in concert with such individuals, including DHS,
16 the California Department of Mental Health (“DMH”), and County Mental Health
17 Plans (“MHPs”), or any of them.” In particular, paragraph 3 of the Amended
18 Judgment provides that “the MHPS shall provide class members with TBS in
19 accordance with the plan (a copy of which is Attachment A to this permanent
20 injunction and incorporated herein by reference), and the directive from DMH,
21 entitled, Therapeutic Behavioral Services, dated July 23, 1999 (a copy of which is
22 attachment B to this permanent injunctions and incorporated herein by reference).”

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1 3. By Minute Order dated November 14, 2008 (Dkt No. 552), the Court has
2 already approved and adopted the Nine-Point Plan of the Emily Q. Work Group,
3 which is attached hereto as Exhibit B and incorporated herein by reference. The
4 Court ORDERS that MHPs shall provide class members with TBS in accordance
5 with the Nine-Point Plan and with the Exit Plan approved and adopted by the
6 Court.

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8 IT IS SO ORDERED.

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10 Dated: April 23, 2009



A handwritten signature in black ink, appearing to read "A. Howard Matz", is written over a horizontal line. The signature is cursive and somewhat stylized.

11 A. Howard Matz

12 United States District Judge
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