

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

James and Lorie Jensen, as parents, guardians and next friends of Bradley J. Jensen; James Brinker and Darren Allen, as parents, guardians and next friends of Thomas M. Allbrink; Elizabeth Jacobs, as parent, guardian and next friend of Jason R. Jacobs; and others similarly situated,

Civil No. 09-1775 (DWF/FLN)

Plaintiffs,

v.

**AMENDED ORDER**

Minnesota Department of Human Services, an agency of the State of Minnesota; Director, Minnesota Extended Treatment Options, a program of the Minnesota Department of Human Services, an agency of the State of Minnesota; Clinical Director, the Minnesota Extended Treatment Options, a program of the Minnesota Department of Human Services, an agency of the State of Minnesota; Douglas Bratvold, individually, and as Director of the Minnesota Extended Treatment Options, a program of the Minnesota Department of Human Services, an agency of the State of Minnesota; Scott TenNapel, individually and as Clinical Director of the Minnesota Extended Treatment Options, a program of the Minnesota Department of Human Services, an agency of the State of Minnesota; and the State of Minnesota,

Defendants.

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Mark R. Azman, Esq., and Shamus P. O'Meara, Esq., O'Meara Leer Wagner & Kohl, PA, counsel for Plaintiffs.

Aaron Winter, Scott H. Ikeda, and Anthony R. Noss, Assistant Attorneys General, Minnesota Attorney General's Office, counsel for State Defendants.

Samuel D. Orbovich, Esq., and Christopher A. Stafford, Esq., Fredrikson & Byron, PA, counsel for Defendant Scott TenNapel.

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Before the Court is the Court Monitor's October 17, 2014 report, titled *Behavioral Intervention Devices and Practices: Achieving Compliance in Community Programs*, which was filed this afternoon with redactions.<sup>1</sup> (Doc. No. [347].) In consideration of the Court Monitor's most recent report, **IT IS HEREBY ORDERED THAT:**

1. The parties shall file responses to the October 17, 2014 report, and the recommendations contained therein, on or before October 30, 2014.

2. The Executive Director of the Governor's Council on Developmental Disabilities and the Ombudsman for Mental Health and Developmental Disabilities may respond by letter, with copies to the parties and the Court Monitor, on or before November 6, 2014.

Dated: October 20, 2014

s/Donovan W. Frank  
DONOVAN W. FRANK  
United States District Judge

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<sup>1</sup> The report was filed on the Court's Electronic Court Filing system with certain limited redactions to protect the personal information of Andrew L. and Karen H. The Court reminds the parties of their responsibility to redact documents that include personal identifiers in accordance with the Protective Order (Doc. No. [57]), Amended Protective Order (Doc. No. [114]), and Second Amended Protective Order (Doc. No. [190]) entered in this matter.