

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

CONSUMER ADVISORY BOARD, et al, )  
 )  
 Plaintiffs )  
 )  
 v. ) Civil No. 91-321-P-C  
 )  
 John R. Nicholas, et al, )  
 )  
 Defendant )

**ORDER ACCEPTING THE SPECIAL MASTER’S PROPOSED  
FINDINGS OF FACT AND CONCLUSIONS OF LAW  
REGARDING RESOURCE DEVELOPMENT**

In accordance with the Order of Reference (Docket Item Nos. 246 and 271) the Special Master has filed his Proposed Findings & Conclusions Regarding Resource Development (Docket Item No. 289). Based on the state of the record herein, the Special Master finds the Defendants to be in substantial compliance with Section X, paragraphs (5), (6), (11) and (12) of the Consent Decree relating to Resource Development, and finds insufficient evidence to support the Certification of Compliance with paragraphs (a) through (f) as discussed in his Proposed Findings and Conclusions Regarding Resource Development.

The Court has carefully reviewed those factual findings and legal conclusions and finds no error, and there being no objection to the acceptance thereof,<sup>1</sup> the Court hereby **ACCEPTS** and **AFFIRMS** the Special Master’s Proposed Findings and Conclusions Regarding Resource Development.

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<sup>1</sup> See Order of Reference (Docket Item Nos. 246 and 271 at 6, Section VI(d) and (e)).

The Defendants are directed to submit to the Special Master within the period designated in his Report, a Corrective Action Plan with respect to achieving compliance with paragraphs (a) through (f) of the Certification.

/s/Gene Carter \_\_\_\_\_  
Gene Carter  
Senior U.S. District Court Judge

Dated at Portland, Maine this 16th day of September, 2005.

**Plaintiff**

**CONSUMER ADVISORY  
BOARD**

represented by **JAMES R. CROTTEAU**  
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**Plaintiff**

**AMELIA DOE**

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**Plaintiff**

**MARY B DOE**

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**Plaintiff**

**FAYE DOE**

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**Plaintiff**

**JOHN DOE**

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**Plaintiff**

**CAROL WYMAN**  
*as guardian of APRIL WYMAN*

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**Plaintiff**

**ROBERTA GOSSNER**  
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**Plaintiff**

**JOHN PERRO**  
*as guardian of PAMELA PERRO*

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**Plaintiff**

**ROBERT CLAVETTE**

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**THOMAS H. KELLEY**  
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**Plaintiff**

**BONNIE HANSON**

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**THOMAS H. KELLEY**  
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**Plaintiff**

**MARION TOOTHAKER**  
*as guardian of WILLIAM*  
*TOOTHAKER*

represented by **JAMES R. CROTTEAU**  
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**THOMAS H. KELLEY**  
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**Plaintiff**

**ALL PLAINTIFFS**

represented by **GERALD F. PETRUCCELLI**  
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V.

**Defendant**

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TERMINATED: 03/02/1994*

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**Defendant**

**DESHAIES, ROGER**

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Bureau of Mental Retardation,  
Maine Department of Mental  
Health & Mental Retardation*

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*TERMINATED: 10/14/1993*  
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**Defendant**

**HARTLEY, DONALD**

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**RICHARD G. BERGERON**  
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**Defendant**

**DAVENPORT, COMMN**

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