

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

K.S., on behalf of her minor child, T.S.,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	Docket no. 1:08-cv-199-GZS
v.	)	
	)	
Brenda Harvey, Commissioner, Maine	)	
Department of Health & Human Services,	)	
	)	
	)	
Defendant.	)	

**ORDER APPROVING SETTLEMENT & DISMISSING CASE WITHOUT PREJUDICE**

Before the Court is the Joint Motion to Approve Settlement (Docket # 15). The Motion is hereby GRANTED. Pursuant to Federal Rule of Civil Procedure Rule 41(a)(2), the parties, by and through their respective counsel, have agreed and requested that this matter be dismissed, without prejudice, based upon the following terms and conditions:

1. The terms and conditions of the Settlement Agreement signed and dated October 21, 2008 (Docket # 16) are incorporated herein by reference and are made part of this Order; and
2. The Court shall retain jurisdiction of this matter for the limited purpose of enforcing the provisions incorporated herein until twelve months from the date of entry of this Order.

Subject to these conditions, this case is hereby DISMISSED WITHOUT PREJUDICE pursuant to Federal Rule of Civil Procedure Rule 41(a)(2). In accordance with 14 M.R.S.A. § 1605, the Court has approved this settlement based on its assessment that this settlement is in the best interests of T.S., the minor plaintiff.

SO ORDERED.

/s/ George Z. Singal  
Chief U.S. District Judge

Dated this 22<sup>nd</sup> day of October, 2008.

**Plaintiff**

**KS**

*on behalf of her minor child TS*

represented by **JACK B. COMART**  
MAINE EQUAL JUSTICE  
PARTNERS  
126 SEWALL STREET  
AUGUSTA, ME 04330-6822  
(207) 626-7058  
Email: jcomart@mejp.org  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**COMMISSIONER OF MAINE  
DEPARTMENT OF HEALTH  
AND HUMAN SERVICES**

represented by **JAMES E. FORTIN**  
OFFICE OF THE ATTORNEY  
GENERAL  
HEALTH AND HUMAN  
SERVICES DIVISION  
SIX STATE HOUSE STATION  
AUGUSTA, ME 04333  
207-626-8800  
Email: james.fortin@maine.gov  
*ATTORNEY TO BE NOTICED*