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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

LUCAS R., *et al.*,

Plaintiffs,

v.

XAVIER BECERRA, Secretary of
U.S. Department of Health and Human
Services, *et al.*,

Defendants.

No. CV 18-5741-DMG (BFMx)

**ORDER GRANTING FINAL
APPROVAL OF SETTLEMENTS OF
PLAINTIFFS' THIRD, FOURTH, AND
FIFTH CLAIMS FOR RELIEF
[PSYCHOTROPIC MEDICATIONS,
LEGAL REPRESENTATION, AND
DISABILITY] [418]**

1 This matter comes before the Court on the Parties’ Joint Motion for Final
2 Approval of Settlements (the “Joint Motion”). [Doc. # 418.] The Parties request that
3 the Court grant final approval of the Psychotropic Medications Agreement [Doc. # 408-
4 3], the Legal Representation Agreement [Doc. # 408-4], and the Disability Agreement
5 [Doc. # 408-5] (collectively “Agreements”) as fair, reasonable, and adequate
6 resolutions of Plaintiffs’ Third, Fourth, and Fifth Claims for Relief in the operative First
7 Amended Complaint.

8 The Court has reviewed and considered the Joint Motion, the Agreements, the
9 Parties’ declarations certifying compliance with the approved Notice Plan, Class
10 Members’ comments, and all declarations and exhibits submitted with the Motion. The
11 Court **GRANTS** the Motion and **ORDERS** as follows:

- 12 1. Pursuant to Federal Rule of Civil Procedure 23, the Court finds that the
13 Agreements are fair, reasonable, and adequate resolutions of Plaintiffs’ Third,
14 Fourth, and Fifth Claims for Relief, respectively.
- 15 2. The Court finds that the Agreements resulted from extensive arm’s-length, good-
16 faith negotiations between the Parties through experienced counsel.
- 17 3. The Court hereby incorporates the terms of the three Agreements, without
18 modification, into this Order.
- 19 4. Plaintiffs’ Third, Fourth, and Fifth Claims for Relief are **DISMISSED with**
20 **prejudice.**
- 21 5. Each Class Member shall be deemed to have released:
 - 22 a. all claims for systemic declarative and injunctive relief presented in the
23 Third, Fourth, and Fifth Claims for Relief of the First Amended Complaint
24 arising or accruing against Defendants on or before the Termination Dates;
 - 25 b. all claims for systemic declarative and injunctive relief, arising or accruing
26 against Defendants on or before the Termination Dates, based on an
27 identical factual predicate as the Third and Fourth Claims for Relief, even
28 if such claims were not presented or might not have been presentable in
this class action; and
 - c. all claims for systemic declarative and injunctive relief under Section 504
of the Rehabilitation Act, arising or accruing against Defendants on or

1 before the Termination Date, based on an identical factual predicate as the
2 Fifth Claim for Relief, even if such claims were not presented or might not
3 have been presentable in this class action.

4 This provision does not release, relinquish, or discharge the First and Second
5 Claims for Relief.

6 6. The Parties, their principals, agents, assignees, employees, successors, and those
7 working for or on behalf of Defendants and Plaintiffs are required to comply with
8 the terms of the Agreements.

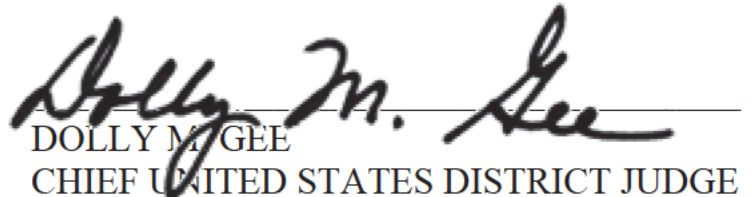
9 7. As set forth in the Agreements, all disputes regarding the Agreements arising
10 before the Termination Dates shall be resolved in accordance with the dispute
11 resolution processes detailed in Section XIII.B–D of the Psychotropic
12 Medications Agreement, Section IV of the Legal Representation Agreement, and
13 Section VIII.B–D of the Disability Agreement.

14 8. Upon entry of judgment in this matter, the Court will retain jurisdiction over its
15 judgment and this Order only for the purposes of interpreting and enforcing the
16 Agreements until the Termination Dates, as set forth in the Agreements.

17 9. The Parties shall meet and confer in good faith to attempt to settle attorneys’
18 fees and costs. Plaintiffs will file a motion for attorneys’ fees and other expenses
19 pursuant to 28 U.S.C. § 2412 and will include in that motion a request to direct
20 notice to Class Members and an objection deadline in compliance with Federal
21 Rule of Civil Procedure 23(h).

22 **IT IS SO ORDERED.**

23 DATED: May 3, 2024

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25 DOLLY M. GEE
26 CHIEF UNITED STATES DISTRICT JUDGE
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