

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

D.G., by Next Friend G. Gail Stricklin, et al., for themselves and those similarly situated,)	
)	
)	
Plaintiffs,)	Class Action
v.)	Civil Action No. 08-CV-074-GKF-FHM
)	
BRAD YARBROUGH, Chairman of the Oklahoma Commission for Human Services, in his official capacity, et al.,)	
)	
Defendants.)	

**FINAL ORDER
APPROVING
COMPROMISE AND SETTLEMENT AGREEMENT**

On this 29th day of February, 2012, after review and consideration of the Joint Motion of the Plaintiff Class and the Settling Defendant for Preliminary Order Approving Compromise and Settlement Agreement [Dkt. 770], the Joint Amendment to Joint Motion of the Plaintiff Class and the Settling Defendant for Preliminary Order Approving Compromise and Settlement Agreement [Dkt. 773], the Court's Order Preliminarily Approving Compromise and Settlement Agreement [Dkt. 774], the Joint Statement In Support of Final Approval of Proposed Class Action Settlement Agreement [Dkt. 776], the Certification of Notice presented to the Court at the Settlement Fairness Hearing on this date, and the statements of the Plaintiff Class and the Defendants presented to the Court on this date, the Court finds as follows:

1. By virtue of an Order dated May 8, 2009 (Dkt. # 272) this Court certified a class of plaintiffs (the "Plaintiff Class") more specifically described as follows:

All children who are or will be in the legal custody of the Oklahoma Department of Human Services (1) due to a report or suspicion of abuse or neglect; or (2) who are or will be adjudicated deprived due to abuse or neglect.

2. A settlement was reached between the Plaintiff Class and the Settling Defendant pursuant to settlement negotiations conducted under the supervision of United States Magistrate Judge Lane Wilson (Compromise and Settlement Agreement dated December 15, 2011, the “Settlement Agreement”).

3. The Settlement Agreement was duly approved by the Oklahoma Commission for Human Services on December 20, 2011.

4. The Settlement Agreement was duly approved by the Oklahoma Contingency Review Board with modification on December 28, 2011.

5. The Settlement Agreement, as approved by the Oklahoma Contingency Review Board with modification on December 28, 2011, was duly approved by the Oklahoma Commission for Human Services on January 4, 2012.

6. On January 23, 2012, the Court entered its Order Preliminarily Approving Compromise and Settlement [Dkt. 774, the “Preliminary Order”] in which the Court (i) preliminarily found the Settlement Agreement to be reasonable, adequate, and fair, (ii) set the date of and time on which a settlement fairness hearing would be held to determine whether a final order approving the Settlement Agreement should be entered, (iii) determined the manner in which notice should be given of the settlement fairness hearing, and (iv) prescribed the manner and time in which objections to the Settlement Agreement could be presented.

7. The Court hereby finds that notice of the settlement fairness hearing has been given in the manner prescribed in this Court’s Preliminary Order [Dkt. 774].

8. The Settlement Agreement is hereby incorporated in this Order by this reference.

9. The Court finds that the Settling Defendant do not admit, and specifically deny, any and all liability to the Plaintiff Class, the Class Representatives and Class Counsel.

10. The Court observes that no objections to the Settlement Agreement have been made.

IT IS THEREFORE HEREBY ORDERED:

1. Pursuant to Fed. R. Civ. P. 23(e), the Settlement Agreement was entered into between the Settling Defendant and the Settlement Class in good faith and without collusion.

2. Pursuant to Fed. R. Civ. P. 23(e), the Settlement Agreement is fair, adequate, and reasonable.

3. Pursuant to Fed. R. Civ. P. 23(e), the Settlement Agreement is hereby approved.

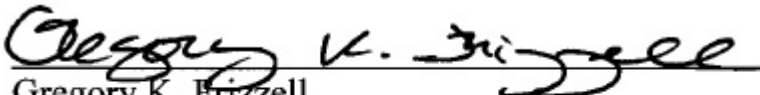
4. This action is hereby dismissed with prejudice, subject to the retention of jurisdiction as hereafter provided.

5. Each Settlement Class Member is hereby deemed conclusively to have released the Released Claims against the Released Parties.

6. Each Settlement Class Member is hereby barred and permanently enjoined from prosecuting, commencing or continuing any of the Released Claims against the Released Parties.

7. The Court hereby retains jurisdiction solely for the purposes set forth in the Settlement Agreement.

Entered this 29th day of February, 2012.


Gregory K. Frizzell
United States District Judge
Northern District of Oklahoma