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Acting Assistant Attorney General  
Civil Rights Division

CIVIL NO. 06-00073-  
JMS-LEK  
[Civil Rights  
Action]

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*Attorneys for Plaintiff*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE STATE OF HAWAI'I, )  
 LINDA LINGLE, GOVERNOR OF HAWAI'I; )  
 LILLIAN B. KOLLER, DIRECTOR OF )  
 THE HAWAI'I DEPARTMENT OF HUMAN )  
 SERVICES; MARTHA TORNEY, DIRECTOR )  
 OF THE OFFICE OF YOUTH SERVICES; )  
 PATRICIA HAMAMOTO, )  
 SUPERINTENDENT OF THE HAWAI'I )  
 DEPARTMENT OF EDUCATION; AND )  
 JAMES CARPENTER, )  
 ADMINISTRATOR OF THE HAWAI'I )  
 YOUTH CORRECTIONAL FACILITY; )  
 )  
 )  
 Defendants. )  
 )  
 )  
 )

CIVIL ACTION NO:  
CV 06-00073-JMS-LEK

ONE YEAR EXTENSION OF THE MEMORANDUM OF AGREEMENT

WHEREAS the United States and the State of Hawai'i, the Governor of Hawai'i, the Director of the Hawai'i Department of Human Services, the Director of the Hawai'i Office of Youth Services, and the Superintendent of the Hawai'i Department of Education (the "State Defendants") entered a Memorandum of Agreement that was filed with the Complaint and Joint Motion to Dismiss pursuant to Fed. R. Civ. P. 41(a)(2), in the above captioned matter ("Memorandum of Agreement"), a copy of which is attached to and incorporated into this Extension Agreement;

WHEREAS the above captioned matter was conditionally dismissed pursuant to Fed. R. Civ. P. 41(a)(2), on February 9, 2006, by order of the Honorable Samuel P. King;

WHEREAS pursuant to Paragraph 75 of the Memorandum of Agreement in the above captioned matter, the Memorandum of Agreement will terminate on February 9, 2009; and

WHEREAS the State Defendants have made appreciable progress in achieving compliance with the terms of the Memorandum of Agreement, yet need additional time to achieve sustained substantial compliance with the terms of the Memorandum of Agreement;

NOW THEREFORE, the Parties agree:

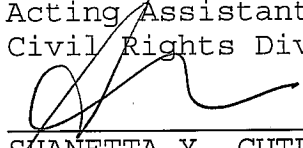
1. The Memorandum of Agreement shall be extended for one year, effective February 9, 2009 and shall terminate on February 9, 2010, or as otherwise provided for and in accordance with the other provisions of the Memorandum of Agreement. The remaining provisions of the Memorandum of Agreement shall remain in full force and effect as they exist at the time of execution of this Extension Agreement.
2. The Extension Agreement may be executed in counterparts.
3. The State Defendants and the United States agree that this Extension Agreement is a mutually binding agreement.

AGREED TO BY THE UNDERSIGNED:

FOR THE UNITED STATES:

GRACE CHUNG BECKER  
Acting Assistant Attorney General  
Civil Rights Division

by:

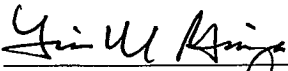
  
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FOR THE STATE:

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