

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF VERMONT

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
THE STATE OF VERMONT, et al.,)
Defendants.)

Civ. No. 06-CV-143

NOTICE OF EXTENSION/AMENDMENT TO THE SETTLEMENT AGREEMENT

WHEREAS the United States Department of Justice ("DOJ") and the State of Vermont, Governor of Vermont, Commissioner of the Vermont Department of Mental Health, Secretary of the Vermont Agency of Human Services, and the Chief Executive of the Vermont State Hospital, entered into a Settlement 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 ("Settlement Agreement"), a copy of which is attached to and incorporated in this Extension Agreement; and

WHEREAS the above captioned matter was conditionally dismissed pursuant to Fed. R. Civ. P. 41(a) (2), on July 20, 2006, by order of the Honorable William K. Sessions III, Chief Judge, United States District Court; and

WHEREAS pursuant to Section XIV.N of the Settlement Agreement in the above captioned matter, the Settlement Agreement will terminate on July 20, 2010; and

WHEREAS, the Joint Monitors conducted a compliance survey on June 28 through July 2, 2010, and the Joint Monitors found that, although VSH is in substantial compliance with the majority of the Agreement, there remain a few areas that required additional improvement and/or time to assess; and

WHEREAS, the Joint Monitors will issue a written report of the results of the above-referenced compliance survey.

NOW THEREFORE, the Parties agree:

1. To continue working together to address conditions at the Vermont State Hospital (“VSH”), in accordance with the terms of the Settlement Agreement.
2. The term of the Settlement Agreement shall be extended from July 20, 2010 until October 31, 2010, and the Settlement Agreement will terminate in accordance with Section XIV.N of the Settlement Agreement on October 31, 2010.
3. All provisions of the Settlement Agreement shall remain in full force and effect as they exist at the time of the execution of this Notice of Extension until the Agreement terminates on October 31, 2010.

FOR THE UNITED STATES:

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