

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**O.B.**, by and through his parents GARLAND BURT and JULIE BURT; **C.F.**, by and through his mother, KRISTEN FISHER; **J.M.** and **S.M.**, by and through their parents, and DAN MCCULLOUGH and MICHELE MCCULLOUGH, individually and on behalf of a class,

Plaintiffs,

v.

**THERESA A. EAGLESON**, in her official capacity as Director of the Illinois Department of Healthcare and Family Services,

Defendant.

No. 15-CV-10463

Judge Charles P. Kocoras

Magistrate Judge Jeffrey  
Cummings

**ORDER APPROVING FINAL SETTLEMENT OF CLASS ACTION**

This matter having come before the Court on November 5, 2019, for Final Approval of Class Action Settlement, and the Court having heard argument and considered the submissions presented to it, the Court makes the following findings:

1. This class action was commenced on November 20, 2015 (Dkt. # 1). This matter was vigorously prosecuted and vigorously defended on behalf of all parties.
2. The parties engaged in settlement discussions from 2017 through the present. During the course of this litigation some individual class members received interim relief.
3. The parties in this class action filed a joint motion for preliminary approval of the Consent Decree and for dissemination of notice pursuant to Fed. R. Civ. P. 23(e)(1)(B) (Dkt.# 169), and this Court granted preliminary approval as set forth in the Court's Order dated August 15, 2019 (Dkt.#175).

4. Due notice of the pendency of this litigation, the substance of the proposed Consent Decree, and the Fairness Hearing was given in the form and manner approved and directed in the Court's Order (Dkt.# 175).

5. Defendant has shown, and this Court finds, that the Class Notice was timely provided in accordance with the Court's Order. The dissemination of the Class Notice in this manner was the best notice to the Class practical under the circumstances, and satisfies the requirements of due process and Federal Rule of Civil Procedure 23.

6. Pursuant to the Class Notice, all interested persons were given notice that the Court would hold a hearing on the joint motion for final approval on November 5, 2019 (the "Fairness Hearing").

7. On November 5, 2019, the Court conducted a Fairness Hearing pursuant to Fed. R. Civ. P. 23(e)(2), affording the parties and all other interested persons the opportunity to be heard in support of and in opposition to the proposed Consent Decree. After reviewing and considering the papers filed in support of the Consent Decree, the evidence, argument, and comments submitted at the Fairness Hearing, the Court has made a finding that the Consent Decree is fair, reasonable, and adequate to bind class members.

The Court having fully considered the matter and good cause appearing, hereby ORDERS, ADJUDGES, AND DECREES as follows:

1. Judgment is entered pursuant to the terms of the Consent Decree incorporated herein. Consent Decree to issue by separate order.

2. In accordance with the terms of the Consent Decree, the Court retains jurisdiction to enforce the terms of the Consent Decree.

ENTER:

Charles P. Kocoras

Honorable Charles P. Kocoras  
United States District Judge

Dated: 11/14/2019