

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA
Plaintiff

CIVIL ACTION NO.
3:09-CV-85 (AWT)

v.

STATE OF CONNECTICUT, ET AL.
Defendants.

SEPTEMBER 10, 2013

**NOTICE OF SUBSTANTIAL COMPLIANCE WITH CERTAIN TERMS
OF THE SETTLEMENT AGREEMENT AND EXTENSION OF TERMINATION**

The United States and the State of Connecticut, the Commissioner of the Connecticut Department of Mental Health and Addiction Services, and the Chief Executive Director of the Connecticut Valley Hospital, entered into a Settlement Agreement that was filed with a Complaint and Joint Motion to Dismiss pursuant to Fed. R. Civ. P. 41(a)(2), in the above captioned matter ("Settlement Agreement").

On July 8, 2009, the above captioned matter was conditionally dismissed pursuant to Fed. R. Civ. P. 41(a)(2), by order of the Honorable Alvin W. Thompson, United States District Judge for the District of Connecticut.

The Parties are notifying the Court that Defendants have substantially complied with Section III, Section IV; Section V; Paragraphs 37, 38, 39, 41, and 42 of Section VI; Section VII; Section VIII; Section IX; Section X; and Section XI. Such listed Sections and Paragraphs are immediately terminated and no longer subject to compliance by Defendants.

The Parties further notify the Court that Paragraphs 36 and 40 of Section VI shall remain subject to compliance under the terms of the Settlement Agreement. The State, while agreeing to the continued application of the Settlement Agreement limited to said Paragraphs, takes the position that this Notice does not constitute an admission that the State has failed to achieve substantial compliance with Paragraphs 36 and 40 of Section VI of the Settlement Agreement. The Parties have extended the termination date of the Settlement Agreement contained in Section XII, Paragraph 93, as follows:

93. This Agreement will terminate on September 10, 2015. If the Designated Consultant determines that the State has not achieved substantial compliance with the remaining provisions of this Agreement, upon mutual agreement of the parties, in writing, this Agreement may be further extended for an additional (60) days to allow the parties to enter into negotiations related to a further extension of this Amended Agreement, if necessary. If the parties agree that the State is in

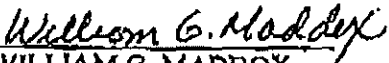
substantial compliance with each of the provisions earlier than the termination date specified above, then the Agreement may terminate at an earlier date. The burden will be on the State and CVH to demonstrate such substantial compliance.

Dated this 10th day of September, 2013.


FOR THE UNITED STATES:

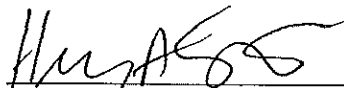
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