

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

|   |   |                               |
|---|---|-------------------------------|
| INDIANA STATE CONFERENCE OF THE             | ) |                               |
| NAACP, for itself and all persons similarly | ) |                               |
| situated,                                   | ) |                               |
|   | ) |                               |
| Plaintiff,                                  | ) |                               |
|   | ) |                               |
| v.  | ) | CASE NO: 1:09-cv-0849-TWP-DML |
|   | ) |                               |
| MICHAEL A. GARGANO, in his official         | ) |                               |
| capacity as Secretary of the Indiana Family | ) |                               |
| and Social Services Administration, et al., | ) |                               |
|   | ) |                               |
| Defendants.                                 | ) |                               |

**ORDER DIRECTING NOTICE TO CLASS OF PROPOSED CLASS  
ACTION SETTLEMENT AND SETTING CASE FOR FAIRNESS HEARING**

The parties having filed their Joint Motion for Class Notice of Proposed Class Action Settlement and Setting of a Fairness Hearing, and the Court having read and reviewed the same and being duly advised, hereby finds that the Motion should be GRANTED.

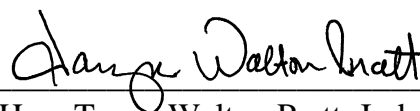
**IT IS ORDERED** that notice of the proposed settlement, attached as Exhibit 2 to the Motion, be given to the class by: a) posting in the largest newspapers of general circulation in Indianapolis, Fort Wayne, Evansville, Gary, New Albany, and Richmond; b) posting in all offices of the Indiana Division of Family Resources at which public assistance clients appear to apply for public assistance benefits, re-determine and recertify benefits, and submit changes of address with regard to their receipt of public assistance benefits; and c) on the website of the Indiana Department of Family and Social Services. The newspaper posting shall occur once a week for three consecutive weeks; the other postings shall begin within one week of the date of this Order, and shall continue until the date of the fairness hearing.

**IT IS FURTHER ORDERED** that this case is set for a fairness hearing on the proposed settlement, pursuant to Rule 23(e) of the Federal Rules of Civil Procedure, on August 25, 2011, at 9:00 a.m. in Courtroom 344, Birch Bayh Federal Building and United States Courthouse.

**IT IS FURTHER ORDERED** that Plaintiff's counsel report to the Court at least ten days prior to the fairness hearing regarding any comments received from class members pursuant to the notice of the proposed settlement.

05/18/2011

Date



Hon. Tanya Walton Pratt, Judge  
United States District Court  
Southern District of Indiana

Distribution List:

Allegra Alejandrea Chapman  
DEMOS: A Network for Ideas & Action  
achapman@demos.org

Anson Carlton Asaka  
NAACP  
aasaka@naacpnet.org

Benjamin Blustein  
MINER, BARNHILL & GALLAND, PC  
bblustein@lawmbg.com

Brenda Wright  
DEMOS  
bwright@demos.org

Gavin M. Rose  
ACLU of INDIANA  
grose@aclu-in.org

Jon M. Greenbaum  
LAWYERS COMMITTEE FOR  
CIVIL RIGHTS UNDER LAW  
jgreenbaum@lawyerscommittee.org

Kenneth J. Falk  
ACLU of INDIANA  
kfalk@aclu-in.org

Mark A. Posner  
LAWYERS COMMITTEE FOR  
CIVIL RIGHTS UNDER LAW  
mposner@lawyerscommittee.org

Nicole Kovite Zeitler  
PROJECT VOTE  
nzeitler@projectvote.org

Niyati Shah  
PROJECT VOTE  
nshah@projectvote.org

Judson H. Miner  
MINER, BARNHILL & GALLAND, PC  
14 W. Erie Street  
Chicago, IL 60654

Robert A. Kengle  
LAWYERS COMMITTEE FOR  
CIVIL RIGHTS UNDER LAW  
bkengle@lawyerscommittee.org

David A. Arthur  
Deputy Attorney General  
David.Arthur@atg.in.gov

Betsy M. Isenberg  
Deputy Attorney General  
Betsy.Isenberg@atg.in.gov

Alex O. James  
Deputy Attorney General  
Alex.James@atg.in.gov

Arthur Z. Schwartz  
275 Seventh Avenue, 17th Floor  
New York, NY 10001

Laura D. Blackburne  
4805 Mt. Hope Drive  
Baltimore, MD 21215

\*\* This party was crossed out from the distribution list because they are not counsel of record in this case.