

UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION

Jeanette Delacerda,  
n/k/a Jeanette Sanderson,  
On Behalf of Herself and All  
Others Similarly Situated,  
  
Plaintiffs,

vs.

North Dakota Department of Human  
Services; Carol Olson, Individually and  
as Director of the North Dakota  
Department of Human Services;  
Annette Bendish and Galen Hanson,  
in their individual and official capacities,  
  
Defendants.

**NOTICE OF SETTLEMENT  
AND JOINT MOTION FOR  
PRELIMINARY APPROVAL OF  
CLASS SETTLEMENT**

**Civil No. 1:08-cv-00046**

.....  
PLEASE TAKE NOTICE that the parties will bring the following motion on for hearing before the Honorable Daniel L. Hovland, Chief Judge, at the United States District Court, 220 East Rosser Avenue, Bismarck, North Dakota, on December 10, 2009, at 10:00 a.m., or as soon thereafter as counsel may be heard.

In accordance with Rule 23(e) of the Federal Rules of Civil Procedure, the parties move that the Court issue an order preliminarily approving class settlement. This motion is supported by the attached memorandum and all documents on file with the Court.

Dated this 30<sup>th</sup> day of November, 2009.

State of North Dakota  
Wayne Stenehjem  
Attorney General

By:           /s/ Douglas A. Bahr            
Douglas A. Bahr  
Solicitor General  
State Bar ID No. 04940  
Office of Attorney General  
500 North 9<sup>th</sup> Street  
Bismarck, ND 58501-4509  
Telephone (701) 328-3640  
Facsimile (701) 328-4300

Attorneys for Defendants.

Dated this 30<sup>th</sup> day of November, 2009.

By:           /s/ Jeffrey S. Weikum            
Jeffrey S. Weikum (ID #05344)  
PAGEL WEIKUM PLLP  
1715 Burnt Boat Drive  
Madison Suite  
Bismarck, North Dakota 58503  
Phone: (701) 250-1369  
Fax: (701) 250-9269  
email: [jweikum@pagelweikum.com](mailto:jweikum@pagelweikum.com)

Craig Boeckel (ID #04625)  
PAGEL WEIKUM PLLP  
1715 Burnt Boat Drive  
Madison Suite  
Bismarck, North Dakota 58503  
Phone: (701) 250-1369  
Fax: (701) 250-9269  
email: [cboeckel@pagelweikum.com](mailto:cboeckel@pagelweikum.com)

Thomas A. Dickson (ID #03800)  
Dickson Law Office  
Tuscany Square  
107 W. Main, Suite 150  
P.O. Box 1896  
Bismarck, ND 58502-1896  
Phone: (701) 222-4400  
Fax: (701) 258-4684  
Email: [tdickson@dicksonlaw.com](mailto:tdickson@dicksonlaw.com)

Attorneys for Plaintiff.

**CERTIFICATE OF SERVICE**

**CASE NO. 1:08-cv-00046**

I hereby certify that on November 30, 2009, the following document: **NOTICE OF SETTLEMENT AND JOINT MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT** was filed electronically with the Clerk of Court through ECF, and that ECF will send a Notice of Electronic Filing (NEF) to Craig A. Boeckel, Jeffrey S. Weikum, and Thomas A. Dickson.

/s/ Douglas A. Bahr  
Douglas A. Bahr  
Solicitor General