

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

PEOPLE FIRST OF TENNESSEE,)	
et al.,)	
)	
Plaintiffs,)	No. 3:95-1227
)	Judge Echols
v.)	(consolidated w/ 3:96-1056)
)	
CLOVER BOTTOM)	
DEVELOPMENTAL CENTER, et al.,)	
)	
Defendants.)	

ORDER

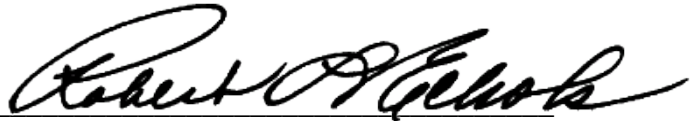
In accordance with the Memorandum entered contemporaneously herewith, the Court rules as follows:

(1) the State Defendants' Emergency Motion To Compel Quality Review Panel To Comply With Settlement Agreement Or, In The Alternative, For Declaratory Relief (Docket Entry No. 965) is hereby GRANTED IN PART and DENIED IN PART. The State's motion to compel the QRP to complete its review of the transition plans for the residents of Clover Bottom Developmental Center ("CBDC") within twenty (20) days of receipt and for an Order precluding the Quality Review Panel ("QRP") from finding a major deficiency in the proposed transition of CBDC residents to Mur-Ci Homes solely on the basis that Mur-Ci Homes is a large congregate care facility is hereby DENIED. The State's alternative motion for a declaration that neither the Settlement Agreement nor federal law precludes class members from choosing to receive services from a congregate care facility even if services could be provided in a more integrated setting is hereby GRANTED;

(2) the United States' Cross Motion To Enforce Settlement Agreement (Docket Entry No. 972-1) is hereby GRANTED IN PART and DENIED IN PART. The Court hereby GRANTS the United States' cross-motion to the extent it seeks denial of the State's motion to overrule the QRP's determination that Mur-Ci Homes is not a community placement. The Court hereby DENIES the United States' cross-motion to the extent it seeks an order directing the State, in accordance with the Settlement Agreement, to transfer promptly to the most integrated settings all residents who have been deemed appropriate to be served in the community, and an order forbidding the State to transfer to an institutional setting any class member who can be served in a more integrated setting; and

(3) the Clerk is hereby directed to file the United States' Cross Motion (Docket Entry No. 972-1) under a separate docket entry number.

It is so ORDERED.

A handwritten signature in black ink, appearing to read "Robert L. Echols", written in a cursive style.

ROBERT L. ECHOLS
UNITED STATES DISTRICT JUDGE