

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

C.P., individually and on behalf of F.P., a  
minor child; D.O. individually and on  
behalf of M.O., a minor child; S.B.C.,  
individually and on behalf of C.C., a  
minor child; A.S., individually and on  
behalf of A.A.S., a minor child; M.S.,  
individually and on behalf of her minor  
child, H.S.; Y.H.S., individually and on  
behalf of his minor child, C.H.S.; E.M.  
on behalf of her minor child, C.M.;  
M.M., individually and on behalf of  
K.M.; L.G., individually and on behalf of  
her minor child, T.M.; E.P., individually  
and on behalf of her minor child, Ea.P.;  
and on behalf of ALL OTHERS  
SIMILARLY SITUATED,

Plaintiffs,

v.

NEW JERSEY DEPARTMENT OF  
EDUCATION; DR. LILY LAUX,  
Commissioner of Education, in her  
official capacity,

Defendants.

Civil Action No. 19-cv-12807-ESK-MJS

Edward S. Kiel, U.S.D.J.

Matthew J. Skahill, U.S.M.J.

**AMENDED CONSENT ORDER  
AND SETTLEMENT AGREEMENT**

THIS AMENDED CONSENT ORDER AND SETTLEMENT  
AGREEMENT is entered into by Class Counsel, on behalf of the Rule 23(b)(2) Class  
and the Rule 23(b)(3) Class (collectively “the Classes”), and Defendants New Jersey  
Department of Education (“NJDOE”) and Dr. Lily Laux (collectively

“Defendants”). The Classes and Defendants shall be referred to individually as a “Party” and jointly as the “Parties.”

**WHEREAS**, the relief afforded to the Rule 23(b)(3) Issues Class under ¶ 13 of the Consent Order and Settlement Agreement entered on April 11, 2024, ECF No. 564-3 at 31-56 (“Original Consent Order”), attached hereto as Exhibit A, is fully preserved and incorporated herein without modification; and

**WHEREAS**, the Original Consent Order requires NJDOE to ensure timely resolution of special education due process petitions in accordance with 34 C.F.R. § 300.515(a), (c); and

**WHEREAS**, the Consent Order requires a **95% Compliance** rate, as defined in Paragraph 7, *infra*; and

**WHEREAS**, the Compliance Monitor’s Fourth Report, dated November 7, 2025 (attached as Exhibit B), shows a failure to achieve the **95% Compliance** rate; and

**WHEREAS**, the power of the federal courts to appoint a Special Master to monitor compliance with their remedial orders is well established. *See, e.g., U.S. v. Apple Inc.*, 992 F. Supp. 2d 263, 280 (S.D.N.Y. 2014), *aff’d*, 787 F.3d 131 (2d Cir. 2015); *U.S. v. Yonkers Bd. of Educ.*, 29 F.3d 40, 44 (2d Cir. 1994) (same); and

**WHEREAS**, Fed. R. Civ. P. 53 authorizes appointment of a Special Master to address any “pretrial and posttrial matters that cannot be effectively and timely

addressed by an available district judge or magistrate judge,” such as enforcing complex decrees; and

**WHEREAS**, the Consent Order provides that after eighteen months, Class Counsel may seek an order of contempt and request remedial action upon a showing of material noncompliance; and

**WHEREAS**, desiring to avoid the litigation attendant to a judicial finding of contempt and enforcement of the Original Consent Order, the Parties have agreed to entry of this Amended Consent Order;

**NOW, THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:**

**I. JURISDICTION AND VENUE**

1. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331.

2. Venue is proper pursuant to 28 U.S.C. § 1391.

**II. REVISED CLASS DEFINITIONS**

3. The definition of the class certified pursuant to Fed. R. Civ. P. 23(b)(2) continues to be: All persons whom pursuant to the IDEA, have filed or will file during the period of time that the Court retains jurisdiction, a due process petition with NJDOE, and whose cases are pending in the New Jersey Office of Administrative Law (“NJOAL”).

4. The definition of the Issues Class certified pursuant to Fed. R. Civ. P. 23(b)(3) continues to be as follows: All persons who, pursuant to IDEA, filed due process petitions with NJDOE on or after May 23, 2016, who, after their due process petition was transmitted to the NJOAL, did not receive a decision within the timeline as defined in 34 C.F.R. § 300.515(a), (c) and the violation occurred prior to April 11, 2024, the date of approval of the Original Consent Order.

### **III. DEFINITIONS OF TERMS AS USED IN THIS AGREEMENT**

5. “**Pending Cases**” shall be defined as any and all due process petitions for which the resolution period or the agreed upon adjusted resolution period has ended, in accordance with 34 C.F.R. § 300.510(b) or (c), but the petition remains unresolved in NJOAL, regardless of whether the case is within or has surpassed the 45-Day Timeline.

6. “**Final Decision Cases**” shall be defined as any and all due process petitions that have been resolved in full, and shall include two distinct groups of due process petitions:

- a. **Final Decisions Post-Full Hearing**, which shall include any and all due process petitions that are resolved, in full, through the issuance of a final decision by NJOAL, following the completion of a due process hearing;  
and

- b. **Final Decisions-No Full Hearing**, which shall include any and all due process petitions that are resolved, in full, through the issuance of a final decision by NJOAL without the completion of a due process hearing, including summary decision, and dismissal of a complaint with or without prejudice, including any dismissal or withdrawal following execution of a settlement agreement.

7. **“95% Compliance”** shall be defined as the timely resolution of due process petitions, in accordance with 34 C.F.R. § 300.515(a), (c), in 95% of all special education due process matters at the NJOAL during a four month period, provided that, when examining each month of the four month period, there is no decrease below 95% in the compliance rate from the prior month. The Special Master shall determine the percentage of compliance achieved in each of three areas – **Pending Cases, Final Decisions Post-Full Hearing, and Final Decisions-No Full Hearing:**

- a. For **Pending Cases**, the total number of Pending Cases that remain at the end of each four month period that are still within the 45-Day Timeline, excluding specific extensions of time requested by a party and granted by an Administrative Law Judge (“ALJ”), shall be divided by the total number of Pending Cases that remain at the end of the four month period.

- b. For **Final Decisions Post-Full Hearing**, the total number of Final Decisions Post-Full Hearing at the end of each four month period that were resolved within the 45-Day Timeline, excluding specific extensions of time requested by a party and granted by an ALJ, shall be divided by the total number of Final Decisions Post-Full Hearing that were resolved during the four month period.
- c. For **Final Decisions-No Full Hearing**, the total number of Final Decisions-No Full Hearing at the end of each four month period that were resolved within the 45-Day Timeline, excluding specific extensions of time requested by a party and granted by an ALJ, shall be divided by the total number of Final Decisions-No Full Hearing that were resolved during the four month period.

For purposes of determining NJDOE's compliance with the Settlement, NJDOE must attain 95% Compliance separately for each of the three areas above.

8. "**Day 1**" of the **45-Day Timeline** shall be defined as the first day following the end of the 30-day resolution period, in accordance with 34 C.F.R. § 300.510(b), the end of the parties' agreed-upon adjusted resolution period, in accordance with 34 C.F.R. § 300.510(c) or in the event of a district filing, consistent with the process outlined in *N.J.A.C. 6A:14-2.7(h)(11)*, Day 1 is the day after filing.

9. “**45 Days** or **45-Day Timeline**” shall be defined as 45 calendar days from **Day 1**, as defined at Paragraph 8, and shall be calculated exclusively using calendar days, in accordance with 34 C.F.R. § 300.515(a), (c), excluding specific extensions of time requested by a party and granted by an ALJ as provided in 34 C.F.R. 300.515(c). Defendants shall not count **45 Days** or the **45-Day Timeline** in any manner other than calendar days, and shall revoke any and all policies, practices, guidelines, and/or procedures that permit the counting of **45 Days** or the **45-Day Timeline** in any manner other than calendar days.

#### **IV. RELIEF FOR THE RULE 23(b)(2) CLASS**

10. For any due process petition filed pursuant to IDEA, NJDOE shall ensure, pursuant to 34 C.F.R. § 300.515, that not later than **45 Days** after the expiration of the 30-day resolution period under 34 C.F.R. § 300.510(b), or the agreed-upon adjusted resolution periods described in 34 C.F.R. § 300.510(c), and accounting for the specific extensions of time requested by a party and granted by the Administrative Law Judge as provided in 34 C.F.R. § 300.515(c):

- a. A **Final Decision**, as defined *supra* at Paragraph 6, is reached by NJOAL; and
- b. NJOAL has mailed a copy of the **Final Decision** to each of the parties.

11. For purposes for compliance with this Agreement, for all **Pending Cases** that existed on April 11, 2024, the date of the Original Consent Order’s approval by

the Court, the **45-Day Timeline** as set forth in 34 C.F.R. § 300.515(a), (c) reset and began to run on April 12, 2024, the calendar day immediately following the date of final approval of the Original Consent Order.

12. To ensure that future Rule 23(b)(2) Class Members know about the Settlement, the transmittal documents from NJDOE to NJOAL arising from a due process petition shall, for the duration of the Court’s jurisdiction over this matter, include a black box placed at the center, at 1 point larger font than the rest of the text with the following language:

**CLASS ACTION NOTICE**  
**Due to the entry of a Consent Order and Amended Consent Order in a Class Action, a federal court has appointed a Special Master to oversee the timely resolution of special education due process hearings. If you believe that your due process petition is not being resolved in a timely manner, you can contact the Special Master at [45days@doe.nj.gov](mailto:45days@doe.nj.gov). You can contact Class Counsel at [info@NJ45dayclassaction.com](mailto:info@NJ45dayclassaction.com) with questions or concerns regarding the Consent Order and Amended Consent Order, which are explained [here](#).**

**V. RELIEF FOR THE RULE 23(b)(3) ISSUES CLASS**

13. Any member of the Rule 23(b)(3) Issues Class shall have two (2) years from the date of entry of the Original Consent Order on April 11, 2024 to file a claim in this court for individual relief under the IDEA for a violation arising out of or related to the timeline in 34 C.F.R. § 300.515(a), (c). This agreed extension is in lieu of class action tolling.

## **VI. APPOINTMENT OF A SPECIAL MASTER**

14. The Parties will request that the Court appoint a Special Master pursuant to Fed. R. Civ. P. 53 to oversee implementation of this Amended Consent Order and Settlement Agreement:

- a. Former New Jersey Supreme Court Justice Jaynee LaVecchia has agreed, if appointed by the Court, to serve as a Special Master. The Parties will request that the Court appoint Justice LaVecchia as a Special Master and provide a proposed form of Order for the Court's consideration, review, revision as deemed necessary by the Court, and entry, should the Court agree that Justice LaVecchia is an appropriate candidate.
- b. NJDOE is responsible for compensating the Special Master at the Special Master's hourly rate. Objection to a request for payment of fees or expenses incurred by the Special Master shall not be a basis for Defendants to object to or refuse to comply with a recommendation made by the Special Master or ordered by the Court.
- c. If, in the future, the Special Master becomes permanently unavailable for any reason or is unable to fulfill the duties of the Special Master, the parties will meet and confer to determine whether a mutually acceptable replacement can be recommended to the Court for appointment. If there

is no mutually agreed upon candidate, the Parties may make separate recommendations to the Court.

- d. If the Special Master determines that the efficient administration of her duties requires the assistance of additional professionals or support staff or expert consultants, the Special Master has the authority to employ those professionals or support staff at NJDOE's expense.

## **VII. ROLE, DUTIES, AND AUTHORITY OF THE SPECIAL MASTER AND PLAN FOR COMPLIANCE**

15. The general role of the Special Master is to (a) work with the Parties to develop a Compliance Plan designed to achieve **95% Compliance** with 34 C.F.R. § 300.515 as defined in ¶ 7 of this Amended Consent Order; (b) submit that Compliance Plan to the Court to be adopted as an Order; (c) report to the Court at least every four months as to whether NJDOE is meeting the goals set forth in the Compliance Plan; (d) modify the Compliance Plan as necessary, with input from the Parties and approval of the Court; and (e) otherwise seek remedial Orders from the Court designed to achieve the required **95% Compliance**.

16. The Special Master's duties shall be as follows:

- a. Within a reasonable timeframe established by the Special Master, the Special Master shall work with the Parties to develop a Compliance Plan reasonably calculated to ensure **95% Compliance**, as defined in this Consent Order. The Compliance Plan shall include (a) benchmarks to

measure progress toward achieving **95% Compliance**; (b) a description of the specific actions and responsibilities expected of Defendants to achieve compliance; (c) a detailed outline of the work the Special Master intends to perform; (d) presumptive deadlines by which specific actions and responsibilities will be completed by Defendants and specific benchmarks to measure progress will be achieved; and (e) a target date for achieving **95% Compliance**.

- b. The Special Master shall, without limitation, oversee and monitor implementation of the Compliance Plan; review and analyze data related to compliance; identify and address barriers to compliance, through the development and implementation of targeted interventions; make recommendations regarding the development, implementation, and assessment of all initiatives, interventions, and corrective actions designed to rectify non-compliance with the 45-Day rule; oversee, monitor, measure, assess, and report upon NJDOE's progress under the Compliance Plan toward achieving **95% Compliance**; and seek remedial Orders from the Court if NJDOE is not making progress required by the Compliance Plan. The foregoing examples are illustrative and not an express limit on the actions the Special Master may take to achieve **95% Compliance**.

- c. The Special Master shall examine the impact of all initiatives, interventions, and corrective actions designed to rectify non-compliance with the **45-Day Timeline** on all due process litigants, including *pro se* parents, and will make any necessary adjustments to ensure they are not negatively impacted.
- d. At the Special Master's discretion, and with input from the Parties, interventions to be addressed in the Compliance Plan may include, but are not limited to: review and assessment of Memoranda of Understanding between NJDOE and NJOAL from 2020 through the present; review and assessment of staffing needs at NJOAL; dissemination of instructions for requesting adjournments using the Adjournment Form to all ALJs, parties, and counsel involved in special education matters at NJOAL by inclusion of those instructions in the special education transmittal package, as well as by broadcast and posting on NJDOE and NJOAL websites; and, when NJOAL'S electronic case management system is in place, dissemination of instructions for requesting adjournments using that case management system to all ALJs, parties, and counsel involved in special education matters at NJOAL by inclusion of those instructions in the special

education transmittal package, as well as by broadcast and posting on NJDOE and NJOAL websites.

- e. In order to ensure consideration of input from all stakeholders, the Special Master shall meet at least every two months, or more often if the Special Master deems necessary, with Class Counsel (no more than two members of the Class Counsel team) and counsel for Defendants, separately or together, at the Special Master's discretion or upon request of counsel. The Special Master may include Class members and other stakeholders in such meetings at her discretion.

17. With respect to access to information and data:

- a. The Special Master shall have full access to any and all information and data from NJDOE necessary for the Special Master's role and duties. Data includes, but is not limited to, the data compiled by the employee referenced in Paragraph 35(d), *infra*; information needed to determine, measure, and analyze the presence and causes of non-compliance, and barriers to compliance with the **45-Day Timeline**; and information needed to measure, assess, and report upon the effects of interventions developed to address non-compliance. NJDOE shall make all reasonable efforts, recognizing that time is of the essence, to obtain and provide any and all information and data the Special Master requests, including

information and data in the custody and control of NJOAL. Once the information is provided to NJDOE, NJDOE will provide that information to the Special Master in a timely manner.

- b. If not satisfied by the production of information and data by NJDOE, the Special Master shall have the authority to undertake any necessary investigation to obtain data and information relevant to the causes of non-compliance and barriers to compliance with the **45-Day Timeline**.
- c. When NJOAL's electronic case management system is in place, the Special Master shall have full access to that system and shall conduct random audits of cases to verify compliance and identify barriers to compliance.
- d. When NJOAL's electronic case management system is in place, the Special Master shall review and assess the functionality and accuracy of that system.

18. The Special Master or her delegee will respond to inquiries regarding issues of non-compliance related to the 45-Day Timeline from Rule 23(b)(2) Class members who contact the Special Master through the [45days@doe.nj.gov](mailto:45days@doe.nj.gov) email address (described in Paragraph 31, *infra*), and will address with NJDOE and Class Counsel issues of non-compliance related to the 45-Day Timeline raised by Rule 23(b)(2) Class members. If the inquiry is not germane to non-compliance related to

the 45-Day Timeline, the Special Master or her delegee will provide a response that so notes and includes contact information for the Special Education Ombudsman.

19. The Special Master shall conduct individual, confidential interviews to the extent necessary to verify and supplement the data collection process. The Special Master shall ensure that the confidentiality of persons interviewed, and of identifying information shared, is protected unless the interviewee permits disclosure.

20. Upon the Court's initiative, or at the request of the Special Master, or by motion of one or both Parties, the Court may modify the duties of the Special Master upon further order of the Court.

21. The Special Master shall function independently of Defendants and the Class, and their respective counsel, and will perform these duties impartially.

## **VIII. ADJOURNMENT FORM**

22. Until NJOAL's electronic case management system is operational and the Special Master has verified that it is accurately tracking cases, an Adjournment Form (attached to the Original Consent Order as Exhibit A) will be used to track specific extensions of time requested by a party and granted by the ALJ. Each Adjournment Form will be maintained in the electronic case file for each matter.

## **IX. COMPLIANCE REPORTING**

23. On a monthly basis, starting thirty days after entry of the Order appointing a Special Master pursuant to Federal Rule of Civil Procedure 53, NJDOE will

provide to the Special Master the data needed to assess compliance as set forth at Paragraph 7 above. df

24. To assess compliance, and to test the accuracy of NJOAL's electronic case management system once it is operational, the Special Master may review the following documents for each **Pending Case**;

- a. The Transmittal Notice and accompanying transmittal documents, which shall state the initial 45-Day deadline for disposition, established in accordance with Paragraph 9 above; and
- b. Any and all completed and signed Adjournment Forms showing a party's request for a specific adjournment; and
- c. All scheduling orders (including the initial scheduling order).

25. To assess compliance, and to test the accuracy of NJOAL's electronic case management system once it is operational, the Special Master may review the following documents for each **Final Decision Case**, disaggregated into the two distinct **Final Decision Case** groups set forth in Paragraphs 6(a) and (b) above:

- a. The Transmittal Notice and accompanying transmittal documents, which shall state the initial 45-Day deadline for disposition, established in accordance with Paragraph 9 above; and
- b. Any and all completed and signed Adjournment Forms showing a party's request for a specific adjournment;

- c. All scheduling orders (including the initial scheduling order); and
- d. The dated and signed order of dismissal or notice of withdrawal (including a dismissal or withdrawal following a settlement) the final decision in the case issued after a hearing, and/or any other decisions disposing of the case.

26. The Special Master shall submit a written report to the Court every four months, or at a shorter regular interval should the Special Master so choose. The report shall include, but not be limited to, a summary of NJDOE's progress toward benchmarks in the Compliance Plan, stakeholder input, and the initiatives, interventions, and corrective actions put in place during that reporting period to address the problem and results of same; data collected during that reporting period; a discussion of the causes of non-compliance and the barriers to compliance; a summary of the steps taken by NJDOE during that reporting period to identify and address the causes of non-compliance; a summary of the actions that NJDOE will take in the next reporting period to rectify noncompliance; and how said actions will be measured and assessed. The report shall also address, among other data points, in both matched and aggregate (where appropriate and in accordance with this Agreement) format on a monthly basis and reporting period basis, the following: (i) how many due process petitions NJDOE received each month; (ii) how many due process petitions were transmitted to NJOAL; (iii) of the petitions transmitted, how

many days did it take for transmittal to occur; (iv) how many due process petitions were **Pending Cases** at the end of the month; (v) of the **Pending Cases**, how many were beyond the **45-Day Timeline**, excluding specific requests for extension of time as allowed pursuant to 34 C.F.R. § 300.515(c); (vi) how many due process petitions were **Final Decisions Post-Full Hearing** at the end of the month; (vii) of the **Final Decisions Post-Full Hearing**, how many were beyond the **45-Day Timeline**, excluding specific requests for extension of time as allowed pursuant to 34 C.F.R. § 300.515(c); (viii) how many due process petitions were **Final Decisions-No Full Hearing** at the end of the month; (ix) of the **Final Decisions-No Full Hearing**, how many were beyond the **45-Day Timeline**, excluding specific requests for extension of time as allowed pursuant to 34 C.F.R. § 300.515(c).

27. The Special Master shall use the information set forth in Paragraphs 24 through 27 to calculate the percentages of compliance with the timelines in 34 C.F.R. § 300.515(a), (c) of due process petitions that have been transmitted to the NJOAL in **Pending Cases, Final Decisions-Post Full Hearing, and Final Decisions-No Full Hearing.**

28. If deemed necessary to remedy continued non-compliance, the Special Master shall make recommendations for remedial or coercive Orders requiring corrective action.

29. The Special Master shall follow the timeline and process below when issuing a report:

- a. Prior to submitting a written report to the Court, the Special Master shall provide the Parties with a draft report no later than 30 days following the conclusion of each four-month reporting period.
- b. The Parties will have 15 days from receiving the draft report to provide comments to the Special Master.
- c. The Special Master will issue the final report within 30 days of providing the Parties with the draft report. If either Party fails to provide timely input in accordance with Paragraph 27(b), the Special Master may finalize the report without that Party's input.

30. The Special Master shall file the final report for each reporting period on the docket. Within five business days of the filing, NJDOE shall post a copy of the report with redaction of any personally identifiable information, on its website in a clearly marked and accessible location.

#### **X. OPPORTUNITY FOR INPUT TO SPECIAL MASTER**

31. NJDOE will continue to provide an opportunity for individuals to provide input, anonymously or otherwise, regarding experiences with the NJDOE and NJOAL in having due process petitions processed, heard, and/or resolved by maintaining the email [45days@doe.nj.gov](mailto:45days@doe.nj.gov) accessible to the Special Master. The

Special Master shall regularly check the email account and may choose to disclose this input within the reports to the Court.

#### **XI. ENFORCEMENT AFTER EIGHTEEN MONTHS**

32. The Parties incorporate Section XI of the Original Consent Order into this Consent Order and Agreement.

#### **XII. INCENTIVE PAYMENTS**

33. The provisions of Section XII of the Original Consent Order have been fulfilled and are no longer applicable.

#### **XIII. ATTORNEY'S FEES**

34. The Parties incorporate Paragraphs 37 and 38 of the Original Consent Order into this Consent Order and Agreement. Paragraphs 39 through 43 of the Original Consent Order have been fulfilled and are no longer applicable.

35. The Parties amend Paragraph 44 of the Original Consent Order to say: Prospectively, Class Counsel will submit fee request on a quarterly basis, beginning with the first quarter of 2026. The Parties shall meet and confer in an attempt to achieve agreement on the amount of the payment. If the Parties cannot reach agreement, Class Counsel will file a fee petition with the Court. NJDOE will remit payment within sixty days of the bill. If fees are determined by the Court, NJDOE will remit payment within sixty days of the Court Order.

#### **XIV. REMAINING PROVISIONS OF ORIGINAL CONSENT ORDER**

36. Section XIV of the Original Consent Order is no longer applicable, as the Court approved the settlement on April 11, 2024 after notice and a hearing.

37. Section XV, XVI, XVII, and XVIII of the Original Consent Order are incorporated fully herein by reference.

38. Section XIX is no longer applicable, because final judgment has already been entered.

## **XV. RELIEF**

39. NJDOE agrees to the following additional relief for members of the Rule 23(b)(2) Class:

- a. As set forth in Sections VI and VII, *supra*, NJDOE agrees to appointment of a Special Master.
- b. To assist *pro se* parties, within ninety days of the entry of this Order, Class Counsel, in consultation with NJDOE, will draft an informative litigation guide, not intended as legal advice, for *pro se* litigants and NJDOE will ensure dissemination to all *pro se* parties at the time of filing. NJDOE will also maintain the guide on its website in an easily accessible location.
- c. Prehearing conferences will be automatically audio-recorded for all cases in which parents or guardians are *pro se*. For represented parties,

prehearing conferences will be recorded upon request. Copies of recordings will be made available, at no charge, upon request.

- d. NJDOE will fund a full-time employee within the NJOAL whose role includes maintaining data on cases pending in the NJOAL and report that data to NJDOE, Class Counsel, and the Special Master. This full-time employee will produce any data requested by the Special Master that NJOAL maintains and is capable of producing. Any data provided to Class Counsel will be anonymized.
- e. The Special Master shall conduct random reviews of cases, particularly those in which parents or guardians are *pro se*, that have not been scheduled for a hearing within **45 Days of Day 1** to assess compliance with the **45-Day Timeline** and identify and address systemic barriers affecting the case's timely progression. Such review shall include, if available, audio recordings of prehearing conferences.

**CLASS COUNSEL**

/s/ Catherine Merino Reisman

Catherine Merino Reisman  
Reisman Gran Zuba LLP

/s/ Elizabeth Athos

Elizabeth Athos  
Education Law Center

/s/ David R. Giles

David R. Giles  
Law Office of David Giles

/s/ Denise Lanchantin Dwyer

Denise Lanchantin Dwyer  
Law Office of Denise L. Dwyer, LLC

/s/ Jeffrey I. Wasserman

Jeffrey I. Wasserman  
Wasserman Little LLC

Dated: March 13, 2026

**COUNSEL FOR DEFENDANTS**

/s/ Daniel F. Dryzga

Daniel F. Dryzga, Jr.  
Assistant Attorney General

Dated: March 13, 2026

**AMENDED CONSENT ORDER AND SETTLEMENT AGREEMENT,  
INCLUDING RETENTION OF JURISDICTION FOR ENFORCEMENT,  
APPROVED BY THE COURT:**

Dated and entered this \_\_\_\_\_ day of \_\_\_\_\_, 2026

\_\_\_\_\_  
Edward S. Kiel  
United States District Judge