

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

OCT 22 2007

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

TIMOTHY C. PIGFORD, et al.,

Plaintiffs,

v.

MIKE JOHANNNS, Secretary,
The United States Department
of Agriculture,

Defendant.

Civil Action No. 97-1978 (PLF)

CECIL BREWINGTON, et al.,

Plaintiffs,

v.

MIKE JOHANNNS, Secretary,
The United States Department
of Agriculture,

Defendant.

Civil Action No. 98-1693 (PLF)

STIPULATION AND ORDER

WHEREAS paragraph 12 of the Consent Decree establishes an independent Monitor who shall:

- i. make periodic written reports to the Court, the Secretary of Agriculture, class counsel, and defendant's counsel on the good faith implementation of the Consent Decree;
- ii. attempt to resolve any problems that any class member may have with respect to any aspect of the Consent Decree;
- iii. direct the Facilitator, Adjudicator, or Arbitrator to reexamine a claim where the Monitor determines that a clear and manifest error has occurred in the screening, adjudication, or

arbitration of the claim and has resulted or is likely to result in a fundamental miscarriage of justice; and

- iv. be available to class members and the public through a toll-free telephone number in order to facilitate the lodging of any Consent Decree complaints and to expedite their resolution; and

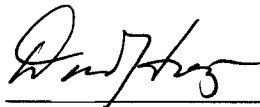
WHEREAS pursuant to a July 6, 2006, Stipulation and Order, the Monitor shall remain in existence until her duties under the Consent Decree are completed or until March 1, 2008, whichever occurs first; and

WHEREAS the parties agree that it is in their interests for the Monitor to remain in existence beyond March 1, 2008, to complete her duties under the Consent Decree;

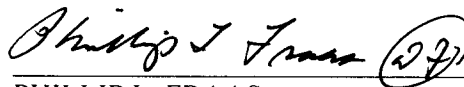
NOW THEREFORE IT IS HEREBY STIPULATED AND ORDERED THAT:

The Monitor shall remain in existence beyond March 1, 2008, until she issues the Monitor's decision on the final petition for Monitor review, or until three months after the date on which the final petition for Monitor review is routed to the Monitor for decision, whichever occurs first.

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SO ORDERED.

Date: October 22, 2007


PAUL L. FRIEDMAN
United States District Judge