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EXPEDITE  
 No hearing set  
 Hearing is set  
Hearing:  
Honorable Thomas McPhee

FILED  
DEC - 2 2011  
SUPERIOR COURT  
BETTY J. GOULD  
THURSTON COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THURSTON COUNTY

LEYA REKHTER, *et al.*,  
Plaintiffs/Petitioners,  
v.  
STATE OF WASHINGTON,  
DEPARTMENT OF SOCIAL AND  
HEALTH SERVICES, *et al.*,  
Defendants/Respondents.

NO. 07-2-00895-8

AMENDED FINAL JUDGMENT ON  
JURY VERDICT – PROVIDER CLASS

Clerk's Action Required

NATASHA PFAFF,  
Plaintiff,  
v.  
STATE OF WASHINGTON,  
DEPARTMENT OF SOCIAL AND  
HEALTH SERVICES, *et al.*,  
Defendants.

SERVICE EMPLOYEES  
INTERNATIONAL UNION 775, *et al.*,  
Plaintiffs,  
v.  
ROBIN ARNOLD-WILLIAMS, *et al.*,  
Defendants.

**JUDGMENT SUMMARY  
PROVIDER CLASS**

Judgment Creditors (Provider Class):	The Judgment Creditors are a class of paid providers who lived with their disabled clients and had their pay withheld by the Judgment Debtor through application of the Shared Living Rule
Attorneys for Judgment Creditors	Livengood, Fitzgerald & Alskog, PLLC Gregory A. McBroom, Class Counsel 121 Third Avenue P.O. Box 908 Kirkland, Washington 98083-0908  Pfau Cochran Vertetis Amala, PLLC Darrell L. Cochran, Class Counsel 911 Pacific Avenue, Suite 200 Tacoma, Washington 98402
Judgment Debtor:	Washington State Department of Social and Health Services 640 Woodland Square Loop Lacey, Washington 98503
Attorneys for Judgment Debtor:	Washington State Office of the Attorney General Carrie L. Bashaw Senior Counsel, Assistant Attorney General 7141 Cleanwater Dr. S.W. Tumwater, Washington 98504-0121
Principal Judgment Amount:	\$57,123,794.50
Pre-Judgment Interest:	\$38,652,219.85 plus per diem
Class Counsel Fees:	Reserved
Class Action Costs:	Reserved
Total Judgment:	\$95,776,014.35

1 Judgment on the claim of the Provider Class was entered on February 25, 2011, with  
2 the following matters reserved:

- 3 1. Pre-Judgment Interest.
- 4 2. Class Counsel Fees.
- 5 3. Class Action Costs.
- 6 4. Class Claims Administration and Disbursement.
- 7 5. Administration and Disbursement of Residual Funds, if any.

8 By Order entered July 8, 2011, this court declared that judgment for the Provider  
9 Class should include pre-judgment interest at the simple rate of 12% per annum to the date  
10 of entry of the judgment – i.e., February 25, 2011. In the *Court's Opinion Re Amount of Pre-*  
11 *Judgment Interest*, dated October 3, 2011, the Court announced its intention to adopt the  
12 calculation urged by the Provider Class unless the Department offered an alternative  
13 calculation before noon, October 10, 2011. No alternative calculation was offered;  
14 accordingly, the amount of \$33,393,700.68 was awarded as pre-judgment interest to  
15 February 25, 2011.

16 Also by the Order entered July 8, 2011, the court declared that post-judgment interest  
17 applies to the verdict amount awarded in the February 25, 2011 judgment from the date of  
18 entry of that judgment. Subsequently the court declared that post-judgment interest should  
19 also apply to the amount awarded for pre-judgment interest, with post-judgment interest to  
20 be calculated from February 25, 2011.

21 The purpose of this amended final judgment is to enter a final, appealable judgment,  
22 to adjust the pre-judgment interest calculation, and to fix the start date for post-judgment  
23 interest. The claim for class counsel fees and class action costs is reserved by agreement  
24 between the parties. Costs and fees, if any, shall be awarded by separate court order and

1 subsequent separate judgment if necessary. The orders for claims administration and  
2 disbursement and for administration and disbursement of residual funds, if any, are also  
3 reserved until after the judgment against the Department becomes final.

4 **AMENDED JUDGMENT**

5 It is hereby:

6 1. **ORDERED** that judgment is entered in favor of the Provider Class and  
7 against the Washington Department of Social and Health Services (the "Department") for  
8 pre-judgment interest in the amount of thirty eight million six hundred fifty two thousand  
9 two hundred nineteen dollars and eighty five cents (\$38,652,219.85), calculated to December  
10 2, 2011. This judgment for pre-judgment interest shall increase at the per diem rate of  
11 eighteen thousand seven hundred eighty dollars and forty three cents (\$18,780.43) for entry  
12 of this judgment after December 2, 2011. The sum of the pre-judgment interest amount and  
13 the principal amount of fifty seven million one hundred twenty three thousand seven  
14 hundred ninety four dollars and fifty cents (\$57,123,794.50) entered against the Department  
15 in the *Judgment on Jury Verdict* dated February 25, 2011 is ninety five million seven  
16 hundred seventy six thousand fourteen dollars and thirty five cents (\$95,776,014.35). This  
17 total amount shall accrue interest at the rate specified in RCW 4.56.110(4), or any equivalent  
18 later codified statutory provision from the date of entry of this Amended Final Judgment.

19 2. **ORDERED** that there shall be no double recovery in this case. The claims  
20 brought by the Provider Class and the claims brought by the Client Class (the other certified  
21 class) were asserted in the alternative and are addressed in separate judgments entered  
22 concurrently.

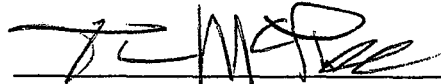
23 3. **ORDERED** that the issue of fees and costs for the class representation is  
24 reserved. Class Counsel may file a fee and cost application for their representation of the

1 classes after entry of this judgment and consistent with a plan for resolution directed in a  
2 separate court order.

3 4. **ORDERED** that all matters relating to distribution of the judgment amount  
4 to Provider Class members, including selection of a claims administrator, approval of a plan  
5 for distribution, and distribution of residual funds, if any, are reserved. Consideration of  
6 these issues will occur after the judgment awarded against the Department becomes final,  
7 including exhaustion of appeal rights.

8 5. **ORDERED** that this is a final judgment of the claims brought by the  
9 Provider Class against the Department.

10 Dated December 2, 2011

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13 **HONORABLE THOMAS MCPHEE**  
14 THURSTON COUNTY SUPERIOR COURT JUDGE

15 Note: Copies transmitted to counsel before signing and entry.  
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