

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

TIMOTHY C. PIGFORD, *et al.*,

Plaintiffs,

v.

TOM VILSACK, Secretary,  
United States Department of  
Agriculture,

Defendant.

Civil Action No.  
97-1978 (PLF)

CECIL BREWINGTON, *et al.*,

Plaintiffs,

v.

TOM VILSACK, Secretary,  
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 the Monitor has been actively engaged in completing her paragraph 12 duties, including working with the parties to ensure the appropriate debt relief has been fully implemented for prevailing class members who are eligible for debt relief; and

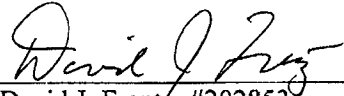
WHEREAS the parties agree that it is in their interests for the Monitor to remain in existence to complete her duties under the Consent Decree;

WHEREAS the parties agree that all issues or possible problems with implementing the Consent Decree have been identified.


NOW THEREFORE IT IS HEREBY STIPULATED AND ORDERED THAT:

- (1) The Monitor shall remain in existence until her duties under the Consent Decree are completed, or until January 31, 2012, whichever occurs first.
- (2) In this final stage of the case, the focus of the Monitor's work will be completing the last remaining implementation tasks within the purview of paragraph 12 of the Consent Decree. These tasks will center on: (a) debt relief as described in recent court reports and court orders; (b) petition decisions; and (c) other tasks about which the parties agree.

FOR PLAINTIFFS:

  
\_\_\_\_\_  
David J. Frantz, #202853  
Conlon, Frantz & Phelan  
1818 N Street, Suite 400  
Washington, DC 20036  
(202) 331-7050

FOR DEFENDANT:

  
\_\_\_\_\_  
Michael Sitcov  
United States Department of Justice  
Civil Division  
P.O. Box 883  
Washington, DC 20044  
(202) 514-4267

Phillip L. Fraas (292)

Phillip L. Fraas  
Stinson Morrison Hecker, LLP  
1150 18th Street N.W., Suite 800  
Washington, DC 20036-3816  
(202) 572-9904

Rose Sanders (297)

Rose Sanders  
Chestnut, Sanders, Sanders & Pettaway  
P.O. Box 1290  
Selma, AL 36702-1290  
(334) 875-9264

Dated: 2/10/11

SO ORDERED.

  
PAUL L. FRIEDMAN  
United States District Judge

DATE: 2/17/11