

To: All persons seeking or receiving services from the Indiana Division of Vocational Rehabilitation Services

I, Kenneth J. Falk, am the attorney representing the plaintiffs in a class action lawsuit entitled *Roberts v. Indiana Family and Social Services Administration*, pending in Marion County Superior Court, Room No. 12, No. 49D12-1205-MI-019254. Some time ago the plaintiffs sued the Indiana Division of Vocational Rehabilitation Services (“VRS”) claiming that VRS is violating Indiana law by using its Policy and Procedure Manual to make decisions without first going through a process called rule promulgation. VRS denied that it violated Indiana law. The case is a class action, which means that I represent not only the two persons who filed the case, but all the people in the class as well. The class is defined as:

All persons who have pending cases seeking services, or who will seek services, from Vocational Rehabilitation Services (“VRS”), and who have had or will have adverse determinations made concerning the services, including, but not limited to, eligibility determinations, based on a policy in the DDRS-VRS Policy and Procedure Manual except insofar as the policy is identical to that in the federal Code of Federal Regulations or federal or state law.

You may be a member of this class. I wanted to let you know about a settlement that we are proposing in the case.

As indicated above, the sole complaint we made in the case was that VRS had not formally promulgated the Policy and Procedure Manual. However, it has now done so and the new regulations were effective as of August 12, 2015.

Given that the only thing that we asked for in the case has now happened we are proposing to dismiss this class action case— therefore ending it. However, in a class action a Court cannot dismiss a case unless notice is first given to the class so it can comment on the proposed dismissal. Then the Court has to determine if the dismissal is a fair, reasonable, and adequate thing to do.

This notice is the notice that class members are receiving. If you have any comments about the proposed dismissal please let me know immediately as I am going to report back to the Court after the notice is posted for 30 days.

If you would like to make a comment, please send it to me and I will summarize it for the Court. If you would like me to give your comment to the Court, please put on the top of your email or letter, “I AUTHORIZE THIS TO BE FILED WITH THE COURT.” Otherwise, I will just summarize your comments. Please let me know if you have any question. Thank you very much.

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