

MONTANA EIGHTH JUDICIAL DISTRICT COURT
COUNTY OF CASCADE

SHAUNA YELLOW KIDNEY, as next friend of C.Y.K. and S.Y.K.; CAMMIE DUPUIS-PABLO and ROGER PABLO, as next friends of K.W.1, K.W.2, K.D., K.P.1, and K.P.2; HALEIGH THRALL and DURAN CAFERRO, as next friends of A.E., D.C., and C.C.; AMBER LAMB, as next friend of K.L.; RACHEL KANTOR, as next friend of M.K.1, and M.K.2; CRYSTAL AMUNDSON and TYLER AMUNDSON, as next friends of C.A. and Q.A.; JESSICA PETERSON, as next friend of A.C.; and DAWN SKERRITT, as next friend of S.S. and M.S; on behalf of themselves and all others similarly situated,

FORT BELKNAP INDIAN COMMUNITY OF THE FORT BELKNAP RESERVATION OF MONTANA; CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD RESERVATION; ASSINIBOINE AND SIOUX TRIBE OF THE FORT PECK INDIAN RESERVATION, MONTANA; NORTHERN CHEYENNE TRIBE OF THE NORTHERN CHEYENNE INDIAN RESERVATION, MONTANA; LITTLE SHELL TRIBE OF CHIPPEWA INDIANS OF MONTANA; and CROW TRIBE OF MONTANA,

Plaintiffs,

vs.

MONTANA OFFICE OF PUBLIC INSTRUCTION; and ELSIE ARNTZEN, in her official capacity as the Superintendent of Public Instruction.

Defendants.

Cause No. DDV-21-0398

Hon. Amy Eddy

**ORDER GRANTING JOINT MOTION
FOR PRELIMINARY APPROVAL OF
CLASS ACTION SETTLEMENT
AGREEMENT**

Before the Court is a Joint Motion for Preliminary Approval of a Class Action Settlement Agreement.

IT IS ORDERED, as follows:

1. The Court preliminarily finds that the Agreement (Motion, Ex. A) proposed by the parties is fair, reasonable, adequate, and likely to be approved at the Final Approval Hearing such that giving notice is justified. The representations, agreements, terms, and conditions of the Agreement and the exhibits attached to the Motion are preliminarily approved pending a final hearing on the Agreement as provided herein.

2. The Court finds that there is no reason to believe that the negotiation of the Agreement was not the result of extensive, arm's-length negotiations between the parties after Plaintiffs' Counsel (Class Counsel) and OPI's Counsel had investigated the claims, sufficiently litigated the claims, and became familiar with the strengths and weaknesses of the claims. The Agreement does not appear to be collusive, has no obvious defects, and falls within the range of reasonableness.

3. Having reviewed the proposed Notice Program, including the proposed Notice submitted by the parties as Exhibit E to the Motion, the Court approves, as to form and content, such Notice for the purpose of notifying the Class and the parents and legal guardians of Class Members as to the lawsuit, the proposed Agreement and its terms, the Final Approval Hearing, and the rights of the Class Members. The Notice contains all of the information necessary to satisfy the requirements of the Montana Rules of Civil Procedure and due process, including information regarding the general terms of the Agreement, the manner in which objections may be submitted, the objection timeline, and the date for the Final Approval Hearing. The Notice will include the appropriate information regarding deadlines and the date and location of the Final Approval Hearing as ordered herein.

4. OPI shall provide its current list of district superintendent email addresses to Plaintiffs' Counsel so that Plaintiffs' Counsel may work with district superintendents to disseminate the Notice and Agreement by email to parents or legal guardians of Class Members. Plaintiffs' Counsel shall also ensure that the Notice is posted in publicly accessible areas of each school where Class

Members are enrolled. In addition, using the district superintendent email list provided by OPI, Plaintiffs' Counsel shall request that the Notice be included in parent packets for distribution at the commencement of the 2026 school year. For any Class Members, parents, or legal guardians who view the posted Notice, the Notice shall advise that the full terms of the Agreement may be obtained by requesting a copy by email. Notice shall be disseminated in accordance with this Notice Program no later than **30 days** from the date of this Order.

5. The Notice shall be updated to include the Final Approval Hearing date and time as set forth below, as well as other relevant deadlines.

6. Any Class Member who wishes to object to the Agreement may appear at the Final Approval Hearing and show cause, if any, why the Agreement should not be approved as fair, reasonable, and adequate to the Class, or why final judgment should not be entered thereon, but must proceed as set forth in this paragraph and in the Notice and Agreement. No Class Member or other person will be heard on such matters unless they have mailed via first-class mail, postage prepaid, a written objection (together with any briefs, papers, statements, or other materials that the Class Member or other person wishes the Court to consider, and in accordance with all requirements set forth in the Agreement) to Plaintiffs' Counsel postmarked on or before the Objection Deadline, as set forth in the Notice.

7. Any Class Member who does not make their objections in the manner and by the date set forth in this Order shall be deemed to have waived any objections and shall be forever barred from raising such objections in this or any other action or proceeding, absent further order of the Court.

8. Prior to the Final Approval Hearing, Plaintiffs' Counsel shall file with the Court and serve on all parties a declaration confirming execution of and compliance with the obligations of the Notice Program. Plaintiffs' Counsel shall include with the filing any timely submitted objections to the Settlement.

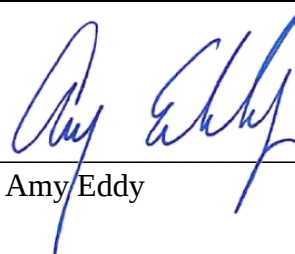
9. A Final Approval Hearing will be held at the time and place indicated below to determine: (a) whether the Settlement should be approved as fair, reasonable, and adequate to the Class; (b) whether a Final Approval Order should be entered in substance materially the same as the Final

Approval Order submitted with the Joint Motion for Final Approval; and (c) any other matters that may properly be brought before the Court in connection with the Settlement. The Final Approval Hearing is subject to continuation or adjournment by the Court without further notice to the Class. The parties must file all moving papers and briefs in support of Final Approval no later than **14 days** before the Objection Deadline.

10. The Court hereby sets the following schedule of events:

Event	Timing
Notice Deadline	September 24, 2026
Objection Deadline	October 26, 2026
Deadline for Plaintiffs to file motion for final approval of settlement and responses to any timely submitted Class Member objections, which shall include a declaration from Class Counsel confirming execution of and compliance with the obligations of the Notice Program	November 23, 2026
Final Approval Hearing	December 14, 2026, at 9:00 a.m.

DATED: 8/24/2026 _____



Hon. Amy Eddy

Electronically Signed By:
Hon. Judge Amy Poehling Eddy
Mon, Aug 24 2026 04:06:02 PM