

Exhibit D

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ALBANY**

KIMBERLY HURRELL-HARRING; JAMES ADAMS; JOSEPH BRIGGS; RICKY LEE GLOVER; RICHARD LOVE; JACQUELINE WINBRONE; LANE LOYZELLE; TOSHA STEELE; BRUCE WASHINGTON; SHAWN CHASE; JEMAR JOHNSON; ROBERT TOMBERELLI; CHRISTOPHER YAW; LUTHER WOODROW OF BOOKER, JR.; JOY METZLER; VICTOR TURNER; EDWARD KAMINSKI; CANDACE BROOKINS; RANDY HABSHI; and RONALD McINTYRE, on behalf of themselves and all others similarly situated,

Index No. 8866-07

Plaintiffs,

-against-

THE STATE OF NEW YORK, GOVERNOR ANDREW M. CUOMO, in his official capacity, THE COUNTY OF ONONDAGA, NEW YORK, THE COUNTY OF ONTARIO, NEW YORK, THE COUNTY OF SCHUYLER, NEW YORK, THE COUNTY OF SUFFOLK, NEW YORK and THE COUNTY OF WASHINGTON, NEW YORK,

Defendants.

THIRD AMENDMENT TO STIPULATION AND ORDER OF SETTLEMENT

WHEREAS, the Stipulation and Order of Settlement in the above-captioned action was approved by the Court on March 11, 2015; and

WHEREAS, the parties previously agreed to extend certain of the deadlines contained in the Stipulation and Order of Settlement, memorialized in stipulations dated September 16, 2015, and February 9, 2016; and

WHEREAS, the parties agreed on or about February 24, 2016, that ILS would publish and distribute the statewide eligibility criteria and guidelines developed in accordance with

Paragraph VI of the Stipulation and Order of Settlement, on April 4, 2016, and further agreed to a state-wide implementation date of those criteria and guidelines of October 3, 2016;

The parties to the Stipulation and Order of Settlement in the above-captioned action agree to amend their prior agreements to extend to April 1, 2017 implementation of the paragraph VI eligibility criteria and procedures outside of Onondaga County, Ontario County, Schuyler County, Suffolk County, and Washington County (the "Five Counties"). The eligibility criteria and procedures will be implemented in the Five Counties by October 3, 2016.

The remainder of the Stipulation and Order of Settlement approved by the Court on March 11, 2015, as previously amended, remains in full force and effect.

Pursuant to Paragraph XIII(B) of the Stipulation and Order of Settlement, a copy of this Amendment is being provided to the Five Counties, whose consent to the foregoing will be deemed to exist absent the receipt by the State Defendants and counsel for the Plaintiffs of any written objections within ten days.

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Attorneys for Plaintiffs

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By: 
KRISTIE M. BLASE

Dated: 6/3/2016

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By: 
ADRIENNE J. KERWIN, *Assistant Attorney General*

Dated: 6/3/16

For Defendant Governor Andrew M. Cuomo

ANDREW M. CUOMO,
Governor of the State of New York

By: 
SANDI TOLL, *First Assistant Counsel to the Governor*

Dated: 6/3/16

New York State Office of Indigent Legal Services

By: _____
WILLIAM LEAHY, *Director*

Dated:

ALBANY COUNTY CLERK'S OFFICE

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For Defendant Governor Andrew M. Cuomo

ANDREW M. CUOMO,
Governor of the State of New York

By: _____
SANDI TOLL, First Assistant Counsel to the Governor

Dated:

New York State Office of Indigent Legal Services

By: William Leahy, Director
WILLIAM LEAHY, Director by Joseph W. ... Counsel

Dated: June 3, 2016