

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
JONESBORO DIVISION**

GREENE COUNTY TECH SCHOOL DISTRICT

PLAINTIFF

v.

Case No. 3:17-cv-00047-KGB

**MW, an adult, and CARLA WILSON,
mother of MW**

DEFENDANTS

ORDER

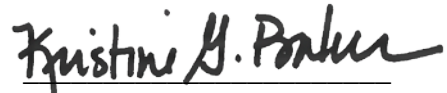
Before the Court are the parties' cross-motions for preliminary injunction (Dkt. Nos. 8, 17). The Individual with Disabilities Education Act grants this Court subject-matter jurisdiction over the enforcement of stay-put orders issued during its administrative proceedings. 20 U.S.C. §§ 1415(i)(3)(A), 1415(j). At issue is the enforcement of a stay-put order issued by the Arkansas Department of Education's ("ADE") hearing officer in Case No. H-2017-20 in effect during the pendency of the ongoing administrative proceedings (Dkt. No. 17-2).

The Court held an evidentiary hearing in this matter on April 6, 2017, at which time the parties agreed to the following: (1) that plaintiff Greene County Tech School District (the "District") withdraws its motion to dismiss without objection; (2) that the District will follow the stay-put order entered by the ADE hearing officer in Case No. H-17-20 (Dkt. No. 17-2); (3) that the parties reserve the issue of attorneys' fees associated with their cross-motions for injunctive relief; and (4) that the Court retains jurisdiction of the action.

In the light of the agreement of the parties, this Court denies as moot the pending cross-motions for injunctive relief (Dkt. Nos. 8, 17). The Court issued a previous Order denying as moot plaintiff's motion to dismiss (Dkt. No. 24). The Court acknowledges that the parties have reserved the issue of attorneys' fees associated with their cross-motions for injunctive relief. This Court

will retain jurisdiction over any disputes that should arise regarding the terms or conditions of the stay-put order issued by the ADE hearing officer (Dkt. No. 17-2).

It is so ordered this the 4th day of May, 2017.



Kristine G. Baker
United States District Judge