

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

**LITTLE ROCK SCHOOL DISTRICT,
*et al.***

PLAINTIFFS

v.

No. 4:82-cv-866-DPM

**NORTH LITTLE ROCK SCHOOL
DISTRICT, *et al.***

DEFENDANTS

LORENE JOSHUA, *et al.*

INTERVENORS

ORDER

1. The Court has received and reviewed the parties' joint report about notice of the proposed settlement. *No* 4961. The parties have implemented the Court's Orders, *No* 4941 & 4948, in letter and in spirit. And the Court finds that reasonable notice of the proposed settlement has been given to members of the Joshua Intervenors class, to the Knight Intervenors, and to the wider public interested in this case. FED. R. CIV. P. 23(e)(1).

2. The Court has received nine filings in response to the notice and the opportunity to object. The Court appreciates, and has been informed by, all of them. Anyone who made a filing may speak at the fairness hearing if he or she wants to do so. Everyone must be present in Courtroom 1-A of the

Richard Sheppard Arnold Courthouse, 500 West Capitol Avenue, Little Rock, Arkansas, 72201, by 9:30 a.m. on 13 January 2014. We'll proceed in the order that the filings were made.

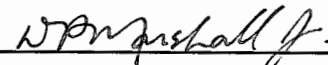
Some of the filings ask questions about the mechanics of the proposed settlement and particular students. *E.g., No 4955 & 4964.* The districts may respond directly to these individuals in writing next week, with a copy being filed with the Court (under seal if need be to protect the students' privacy). The districts should also respond in general in their presentations at the hearing. Ola M. Ware and Samia Johnston have asked to be heard at the fairness hearing. *No 4963 & 4964.* Requests granted. The Court notes the objections from the Sherwood Public Education Foundation and the City of Sherwood. *No 4966 & 4967.* They support the proposed settlement in general, but object to the last sentence in Section E(1), which pledges the State to oppose the formation of any school district from PCSSD's territory (except a Jacksonville/North Pulaski area district) until the Court declares PCSSD fully unitary. The Court is considering this objection as part of evaluating the whole proposal. Finally, the Court notes the supportive filing by business leaders from the Little Rock Chamber of Commerce and Fifty for the Future.

No 4968. The Court accepts this paper as a friend-of-the-court submission about the proposed settlement.

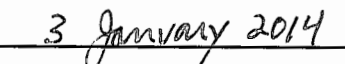
3. After hearing from any objectors, or other filers who wish to speak, the Court will hear from the parties. They should be prepared to begin their presentations Monday afternoon. The parties should respond to the objections. Some brief testimony about the funding winddown, and how it will affect district operations, would be helpful. Some testimony, perhaps from LRSD, on the M-to-M and magnet school transitions would be informative. The Court also requests evidence from the parties about the proposed settlement's effects on PCSSD's ongoing unitary-status efforts. This is an important point, which goes to the proposal's adequacy. FED. R. CIV. P. 23(e). Here the parties should, for example, address Sections A(1) and E(1) and Rizelle Aaron's objection. *No 4956*.

4. The Court directs the Clerk to mail a copy of this Order to everyone who filed a paper in response to the notice of proposed settlement. Any proposed hearing exhibits are due in chambers by noon on 10 January 2014.

So Ordered.



D.P. Marshall Jr.
United States District Judge



3 January 2014