

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

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

**PLAINTIFFS**

**No. 4:82-cv-866-DPM**

**PULASKI COUNTY SPECIAL SCHOOL  
DISTRICT, JACKSONVILLE/NORTH  
PULASKI SCHOOL DISTRICT, *et al.***

**DEFENDANTS**

**EMILY McCLENDON, TAMARA EACKLES,  
VALERIE STALLINGS, TIFFANY ELLIS,  
and LINDA MORGAN**

**INTERVENORS**

**ORDER**

The Court has received the attached letter from PCSSD's lawyers. Respectful nudge, and timeline reminder, much appreciated. The Court will do its best to rule on the current facilities issues by mid-November. The Court encourages counsel to communicate with the Court through filings on the docket. That step will keep our record complete.

So Ordered.



\_\_\_\_\_  
D.P. Marshall Jr.  
United States District Judge

20 October 2022

# MITCHELL || WILLIAMS

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October 19, 2020

Via E-Mail to [dpmchambers@ared.uscourts.gov](mailto:dpmchambers@ared.uscourts.gov)

The Honorable D.P. Marshall, Jr.  
United States District Court  
Eastern District of Arkansas  
600 West Capitol, Room B155  
Little Rock, AR 72201

*Re: Little Rock School District, et al. v. Pulaski County Special School District, et al.  
U.S. District Court, Eastern District of Arkansas, Case No. 4:82-CV-866-DPM*

Chief Judge Marshall:

On behalf of the Pulaski County Special School District (PCSSD) I am writing to inform the Court about a logistical issue that is approaching. I write this letter with some reluctance, being fully aware that Your Honor manages a busy civil docket, and a criminal docket that is prioritized, as it should be. Also, as the Chief Judge, of course, Your Honor also has many administrative duties. Please do not receive this letter as impatience on behalf of PCSSD, as we have held off in submitting this for as long as practicable. However, for the reasons explained below, I believe there is good reason for submitting this letter.

The Court ordered PCSSD to “refine its proposal into a firm plan.” *Doc. 5776*, p. 3. In response to that order, PCSSD has now submitted a Facilities Plan and Update (the “Plan”). *Doc. 5798*. In the Plan, PCSSD set out a comprehensive timeline, including its intention to stay in the design phase until January 13, 2023, at which point final blueprints will be complete. *Doc. 5798*, pp. 1-2. Following that date, between January 20, 2023 and February 20, 2023, PCSSD announced its intent to seek review and approval from the controlling state agency. *Id.* This proposed timeframe culminates with an anticipated final completion date of August 19, 2024, meaning that the new Mills Facility would be ready for use just in time for the 2024-2025 school year. *Id.*

To move forward with this process on January 20, 2023, the architects must be fully complete with their work. For that to be accomplished, PCSSD must seek several levels of preliminary approval to ensure compliance with fire codes, building codes, and other state requirements. Additionally, and not to be overlooked, PCSSD cannot complete final blueprints and move forward until the Court approves the Plan. This is assuming that the Court does approve the Plan, of course, and we are not so presumptuous as to make such an assumption.

Letter to Court re Timeline of Facilities  
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PCSSD recognizes that the Court has authority over the Plan and can rule however the Court deems appropriate.

All that to say, PCSSD must take steps soon if it is to stay on the proposed timeline outlined above. PCSSD estimates that *if* the Court were to approval PCSSD's Plan by November 15, 2022, PCSSD should be able to stay on track with the timeline proposed. In full transparency, if the Court were to approve the Plan after November 15, 2022, it may still be possible for PCSSD to stay on track with the timeframe, however I am told that such an outcome decreases in probability as time goes on.

Being mindful of the observations stated in the first paragraph of this letter, and being respectful of the demands on the Court's time, I am merely seeking to update the Court on the time-sensitive nature of this situation. Given that the timeline of completion may potentially be altered, and given that this may possibly affect the anticipated final opening date of the school facility, I felt it prudent to write this letter.

Thank you for the Court's consideration and time.

Respectfully submitted,

MITCHELL, WILLIAMS, SELIG,  
GATES & WOODYARD, P.L.L.C.

By 

Devin R. Bates

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