

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

J.M., a minor, by and through
her parents, J.M. and D.M.,

NO. CIV. S-07-1071 LKK/GGH

Plaintiffs,

v.

O R D E R

VACAVILLE UNIFIED SCHOOL
DISTRICT,

Defendant.

_____ /

Plaintiff, J.M., a minor, seeks a temporary restraining order for a "stay put" order pursuant to Section 1415(j) of the Individuals with Disabilities in Education Act of 2004 ("IDEA"). Plaintiff seeks to prevent defendant, Vacaville Unified School District ("District"), from graduating plaintiff, thereby terminating the special education services plaintiff has been receiving.

A hearing on the motion occurred on June 7, 2007. All parties were present. At the hearing, the parties agreed that a preliminary injunction was appropriate, rather than a temporary

1 restraining order. Upon consideration and after oral argument, the
2 court orders as follows:

- 3 1. A Preliminary Injunction is hereby issued, enjoining the
4 District from graduating plaintiff;
- 5 2. The Preliminary Injunction shall last only so long as
6 necessary for the Office of Administrative Hearings to
7 resolve and dispose of plaintiff's underlying due
8 process complaint and request for a "stay put" order;
- 9 3. Either party may request a further hearing upon properly
10 noticed motions.

11 IT IS SO ORDERED.

12 DATED: June 7, 2007.

13
14 
15 LAWRENCE K. KARLTON
16 SENIOR JUDGE
17 UNITED STATES DISTRICT COURT
18
19
20
21
22
23
24
25
26