

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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5 EMMA C., et al.,

6 Plaintiff,

7 v.

8 DELAINE EASTIN, et al.,

9 Defendants.

NO. C96-4179 TEH

ORDER GRANTING
PLAINTIFFS' MOTION TO
COMPEL AND SETTING
BRIEFING SCHEDULE

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12 With good cause appearing, IT IS HEREBY ORDERED that:

13 1. Plaintiffs' motion to compel the California Department of Education ("CDE") to
14 produce evidence that the United States Department of Education ("USDOE") has approved
15 CDE's monitoring system is GRANTED as unopposed. CDE shall produce any such
16 evidence on or before **September 10, 2012**. Accordingly, the hearing set for September 17,
17 2012 is hereby VACATED.

18 2. In accordance with the Court's December 12, 2011 order to meet and confer on the
19 issue of state monitoring, objections to the Monitor's determinations in his July 16, 2012
20 memorandum were to be filed in the form of a motion to the court. CDE's August 13, 2012
21 "response" was not in the form of a motion. CDE is hereby ordered, no later than
22 **September 10, 2012** to file its objections to the Monitor's determinations in accordance with
23 the procedures set out for the filing of motions in the Civil Local Rules. *See* Civ. L.R. 7-2.
24 Such motion shall be noticed for a hearing on **October 15, 2012** in conjunction with
25 Plaintiffs' motion. The briefing schedule shall follow Civil Local Rule 7-3.

26 3. In accordance with the Monitor's unopposed determination, CDE is directed to
27 raise, in its motion to be filed on or before **September 10, 2012**, any arguments it may wish
28 to make with regard to the Court's jurisdiction over issues related to CDE's monitoring of

1 Ravenswood. *See* Monitor’s Determinations at 1-2. CDE is further directed to respond in its
2 motion to the Monitor’s analysis of the apparent conflict between the final paragraph of the
3 dispute resolution language it proposed in the Fourth Joint Statement and Consent Decree §
4 13.0. *See* Monitor’s Determinations at 10.

5 3. Plaintiffs’ request for an extension of time to submit objections to Defendant
6 CDE’s monitoring system is also GRANTED. Any such objections should be filed, in the
7 form of a motion, no later than **60 days** after the Court issues its ruling on the parties’
8 motions objecting to the Monitor’s July 16, 2012 report.

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10 **IT IS SO ORDERED.**

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12 Dated: 8/30/2012



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14 THELTON E. HENDERSON, JUDGE
15 UNITED STATES DISTRICT COURT
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