

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

EMMA C., et al.,

Plaintiff,

v.

DELAINÉ EASTIN, et al.,

Defendants.

NO. C96-4179 TEH

ORDER DIRECTING FILING OF
JOINT SUPPLEMENTAL BRIEF
AND FOR CDE TO SHOW
CAUSE WHY SANCTIONS
SHOULD NOT BE IMPOSED

In an order dated August 30, 2012, the Court directed Defendant California Department of Education (“CDE”) to respond, in a motion to be made on or before September 10, 2012, to the Monitor’s analysis of an apparent conflict between Consent Decree § 13.0 and the final paragraph of the dispute resolution language proposed by both parties in the Fourth Joint Statement. CDE failed to comply with this part of the Court’s order, and because CDE did not address the Monitor’s analysis in its motion, Plaintiffs likewise did not address the analysis in their opposition to CDE’s motion.

For the reasons stated above, and with good cause appearing, IT IS HEREBY ORDERED that:


1. The parties shall file a joint supplemental brief setting forth their positions, agreed to or disputed, on the Monitor’s analysis of the apparent conflict between Consent Decree § 13.0 and the final paragraph of the dispute resolution language proposed by both parties in the Fourth Joint Statement **on or before October 24, 2012;**

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2. CDE shall show cause, in a separate filing to be made **on or before October 24, 2012**, why sanctions should not be imposed for its failure to comply in full with the Court's August 30, 2012 order.

IT IS SO ORDERED.

Dated: 10/18/2012



THELTON E. HENDERSON, JUDGE
UNITED STATES DISTRICT COURT