

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
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

EMMA C., et al.,
Plaintiffs,
v.
DELAINE EASTIN, et al.,
Defendants.

Case No. 96-cv-04179-TEH

**ORDER SETTING SCHEDULE FOR
ALLOCATION PROCESS FOR
FISCAL YEAR 2014-2015**

A new fiscal year will commence on July 1, 2014. The Court hopes that Defendants will be able to agree upon an equitable allocation for the RSIP implementation budget and the Monitor's Office budget for fiscal year 2014-2015 in light of the guidance provided by this Court's May 14, 2003 Order Re: Initial Allocation, and their past successes in reaching agreement. In the event that informal resolution is not possible, however, the Court will make an equitable allocation.

To facilitate conducting the allocation process in a timely manner, the Court sets forth the following schedule:

1. By no later than Friday, April 18, 2014, Ravenswood and the Court Monitor¹ shall each submit their respective proposed budgets to the Court and the parties.
2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith to seek an agreement upon an equitable allocation for the fiscal year 2014-2015.
3. Defendants shall, by no later than Friday, May 9, 2014, file either a joint statement setting forth an agreed upon allocation for fiscal year 2014-2015 or, if no

¹ Pending resolution of the Monitor's determinations regarding Plaintiffs' objections to Defendant California Department of Education's design of its special education monitoring system and implementation of the Special Education Self Review (SESR) portion of the monitoring system in Defendant Ravenswood City School District, the Monitor may have additional duties which may require reconsideration of the Monitor's Office's budget.

1 agreement has been reached, email the Court Monitor informing him they have not reached
2 agreement and stating, without argument, the areas of disagreement. The parties shall then
3 participate in a mediation process led by the Court Monitor in order to attempt to resolve
4 these areas of disagreement.

5 4. Defendants shall, by no later than Friday, May 23, 2014, file either a joint
6 statement setting forth an agreed-upon allocation for fiscal year 2014-2015, or, if no
7 agreement has been reached, separate opening briefs setting forth their respective positions
8 with respect to an appropriate allocation.

9 5. If the parties have not reached agreement, Defendants shall respond to each
10 other's opening briefs by no later than Friday, June 6, 2014. If Plaintiffs wish to address
11 this matter, they may file comments responding to Defendants' opening briefs no later than
12 Friday, June 6, 2014. The Court shall hold a hearing on the allocation issue, if necessary,
13 on Monday, June 16, 2014, at 10:00AM.

14
15 **IT IS SO ORDERED.**

16
17 Dated: 2/19/14



THELTON E. HENDERSON
United States District Judge

18
19
20
21
22
23
24
25
26
27
28