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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 RE: DEFENDANT  
CALIFORNIA DEPARTMENT OF  
EDUCATION’S MOTION TO  
STRIKE**

On May 21, 2014, Defendant California Department of Education (“CDE”) moved to strike the report of Sam Howarth, which Plaintiffs submitted in support of their opposition to CDE’s motion to set aside the Monitor’s January 9, 2014 determinations. The Court will construe CDE’s motion to strike as an objection to evidence rather than a noticed motion. Accordingly, the briefing schedule based on Civil Local Rule 7-3, which governs noticed motions, is vacated. Plaintiffs shall file a response to CDE’s objection on or before **June 4, 2014**, and the matter will then be deemed submitted.

**IT IS SO ORDERED.**

Dated: 5/28/14



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THELTON E. HENDERSON  
United States District Judge