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

SAMUEL L. GENSAW III, et al.,  
Plaintiffs,  
v.  
DEL NORTE COUNTY UNIFIED  
SCHOOL DISTRICT, et al.,  
Defendants.

Civil Case No.: C 07 3009 THE

**STIPULATION AND ORDER OF  
DISMISSAL**

Honorable Thelton E. Henderson

Plaintiffs SAMUEL L. GENSAW III, a minor, by and through MARGARET L. GENSAW, his mother/legal guardian; LENA-BELLE GENSAW, a minor, by and through MARGARET L. GENSAW, her mother/legal guardian; JON-LUKE GENSAW, a minor, by and through MARGARET L. GENSAW, his mother/legal guardian; PETER R. GENSAW, a minor, by and through MARGARET L. GENSAW, his mother/legal guardian; WILLIAM ULMER-GENSAW, a minor, by and through CURTIS F. GENSAW, his father/legal guardian; ANGELICA ULMER, a minor, by and through CURTIS F. GENSAW, her legal guardian; CHARLES ULMER-GENSAW, a minor, by and through CURTIS FM GENSAW, his father/legal guardian; and TERESITA ULMER-GENSAW, a minor, by and through CURTIS F. GENSAW, her father/legal guardian (collectively, "Plaintiffs"), on the one hand, and DEL NORTE COUNTY UNIFIED SCHOOL DISTRICT; ROBERT BERKOWITZ, in his official capacity as a member of the Del

1 Norte County Unified School District Board; THOMAS COCHRAN, in his official capacity as a  
2 member of the Del Norte County Unified School District Board; FAITH CRIST, in her official  
3 capacity as a member of the Del Norte County Unified School District Board; WILLIAM  
4 MAFFETT, in his official capacity as a member of the Del Norte County Unified School District  
5 Board; JAN MOOREHOUSE, in her official capacity as Superintendent of the Del Norte County  
6 Unified School District; and WILLIAM PARKER, in his official capacity as a member of the Del  
7 Norte County Unified School District Board (collectively, "Defendants"), on the other (Plaintiffs  
8 and Defendants together are the "Parties"), hereby stipulate as follows:

10           1. Plaintiffs filed this action against Defendants seeking a declaratory judgment that  
11 Defendants' decision to close the middle school grades at Margaret Keating, and their reassigning  
12 the students displaced by that decision to Crescent Elk, violated rights guaranteed to those students  
13 by 42 U.S.C. § 1983, the Equal Protection Clause of the Fourteenth Amendment to the United  
14 States Constitution, and Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and a  
15 preliminary and permanent injunction ordering Defendants to re-open grades six through eight at  
16 Margaret Keating, with supporting activities designed to teach and foster Native American  
17 languages, history and culture.

19           2. Having reached a settlement agreement with Defendants, Plaintiffs hereby  
20 dismiss their complaint, with prejudice.

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3. Each party shall bear his, her or its own attorneys' fees and costs.

DATED: March 26, 2010

COVINGTON & BURLING LLP

By Donald W. Brown  
Donald W. Brown

Attorneys for Plaintiffs

DATED: March 26, 2010

MITCHELL, BRISSO, DELANEY & VRIEZE

By John M. Vrieze  
John M. Vrieze

Attorneys for Defendants

**IT IS SO ORDERED**

DATED: 03/29/10

THE HONORABLE THELTON E. HENDERSON  
UNITED STATES DISTRICT COURT JUDGE

