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ALAMEDA UNIFIED SCHOOL DISTRICT and
6 GOVERNING BOARD OF ALAMEDA UNIFIED SCHOOL DISTRICT

7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10

11 JUDY BARR,)
12 Plaintiff,)
13 v.)
14 ALAMEDA UNIFIED SCHOOL DISTRICT,)
GOVERNING BOARD OF ALAMEDA)
15 UNIFIED SCHOOL DISTRICT, and DOES 1)
through 10,)
16 Defendants.)
17

CASE NO. C07-04075 JL
**JOINT CASE MANAGEMENT
STATEMENT; ~~PROPOSED~~ ORDER**
(FED. R. CIV. P. 26; LOCAL RULE 16-9)

18 Plaintiff JUDY BARR ("Plaintiff") and Defendants ALAMEDA UNIFIED SCHOOL DISTRICT
19 and GOVERNING BOARD OF ALAMEDA UNIFIED SCHOOL DISTRICT ("District") (collectively
20 with Plaintiffs herein, "Parties") hereby submit the following Joint Case Management Statement:

21 Plaintiff filed her original Complaint in this matter on August 8, 2007, which was not served. On
22 November 16, 2007, Plaintiff filed her First Amended Complaint ("FAC") in this matter, and served
23 same on the District on November 21, 2007. Plaintiff's FAC asserts one cause of action, a claim under
24 the federal Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. sections 1400 *et seq.*,
25 seeking reimbursement for educational costs and attorneys' fees under the Parties' 2005 settlement
26 agreement resulting from a special education dispute under the IDEA.

27 Since Plaintiff's filing of her FAC, and her subsequent provision to the District of the required
28 written proof of educational costs and attorneys' fees, the District has issued warrants to fully reimburse

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1 Plaintiff for all educational costs and attorneys' fees sought in her FAC and remaining due under the
2 Parties' 2005 settlement agreement.

3 As a result, all issues, matters, and claims under the FAC are resolved. Further, the Parties
4 anticipate filing a stipulation for dismissal under Rule 41(a) of the Federal Rules of Civil Procedure.
5 However, Plaintiff's counsel has to date been unable to locate and communicate with Plaintiff in order to
6 obtain consent to the stipulate to dismissal. Assuming Plaintiff's counsel communicates with Plaintiff
7 within thirty (30) days and obtains consent, this case will be dismissed without prejudice.

8 The Parties agree that in light of the above facts, the Court should vacate the currently scheduled
9 February 20, 2008 Case Management Conference; continue same for thirty (30) days, to March 21, 2008,
10 before which, if the Parties have not then filed the above-referenced stipulation for dismissal, the Parties
11 will file a revised and updated Joint Case Management Statement at least seven (7) days in advance of
12 March 21, 2008.

13 Dated: February ____, 2008

Respectfully submitted,
LAW OFFICE OF RALPH O. LEWIS

RALPH O. LEWIS
Attorneys for Plaintiff
JUDY BARR

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19 Dated: February 4, 2008

Respectfully submitted,
LOZANO SMITH

GREGORY A. WEDNER
SLOAN R. SIMMONS
Attorneys for Defendants
ALAMEDA UNIFIED SCHOOL
DISTRICT and
GOVERNING BOARD OF ALAMEDA
UNIFIED SCHOOL DISTRICT

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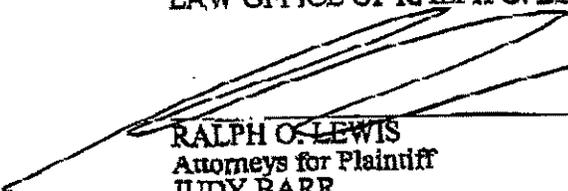
1 Plaintiff for all educational costs and attorneys' fees sought in her FAC and remaining due under the
2 Parties' 2005 settlement agreement.

3 As a result, all issues, matters, and claims under the FAC are resolved. Further, the Parties
4 anticipate filing a stipulation for dismissal under Rule 41(a) of the Federal Rules of Civil Procedure.
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7 within thirty (30) days and obtains consent, this case will be dismissed without prejudice.

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Respectfully submitted,
LAW OFFICE OF RALPH O. LEWIS


RALPH O. LEWIS
Attorneys for Plaintiff
JUDY BARR

19 Dated: February ____, 2008

Respectfully submitted,
LOZANO SMITH

GREGORY A. WEDNER
SLOAN R. SIMMONS
Attorneys for Defendants
ALAMEDA UNIFIED SCHOOL
DISTRICT and
GOVERNING BOARD OF ALAMEDA
UNIFIED SCHOOL DISTRICT

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28 JOINT CASE MANAGEMENT STATEMENT;
& [PROPOSED] ORDER

Bar v. Alameda Unified Sch. Dist. et al.
CASE NO. C07-04075 JL

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[PROPOSED] ORDER

Based upon the instant Joint Case Management Statement and good cause showing, the Court vacates the Parties' February 20, 2008 Case Management Conference; continues the Parties' Case Management Conference to March ~~XX~~[19], 2008; and the Parties must file a revised and updated Joint Case Management Statement no later than [seven][] days in advance of March ~~XX~~ 19, 2008, if by that time the Parties have not yet filed a stipulation for dismissal without prejudice under Rule 41(a) of the Federal Rules of Civil Procedure.

DATED: Februaryh 14, 2008


The Honorable James Larson
Chief Magistrate Judge

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