

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOHN ROE, et al.,
Plaintiffs,
v.
BERKELEY UNIFIED SCHOOL
DISTRICT,
Defendant.

Case No. 15-cv-03871-TEH


**ORDER GRANTING
PRELIMINARY INJUNCTIVE
RELIEF**

This matter came before the Court on September 1, 2015, on Plaintiffs’ motion for a preliminary injunction. Having considered the parties’ written and oral arguments, the Court now GRANTS Plaintiffs’ request for preliminary injunctive relief. Defendant Berkeley Unified School District shall allow Plaintiff Jason Roe to begin the 2015-16 academic year at Malcolm X Elementary School. This injunction shall remain in effect only until either (a) the parties agree on the student’s placement, either before or after an IEP meeting is held, or (b) an administrative law judge has rendered a decision on Plaintiffs’ request for due process, which Plaintiffs shall file within the next seven days.

The parties shall file a joint statement notifying the Court within seven days of either of these conditions being satisfied. The joint statement shall also include the parties’ positions on whether the case should be dismissed or, if not, what issues remain to be resolved and the parties’ proposed schedule for resolving those issues.

IT IS SO ORDERED.

Dated: 09/01/15



THELTON E. HENDERSON
United States District Judge