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4 UNITED STATES DISTRICT COURT
5 NORTHERN DISTRICT OF CALIFORNIA

6 AFT LOCAL 2121, et al.,

7 Plaintiffs,

8 v.

9 ACCREDITING COMMISSION FOR
10 COMMUNITY AND JUNIOR COLLEGES,
11 et al.,

12 Defendants.

Case No. 16-cv-03411-HSG

ORDER

Re: Dkt. Nos. 77, 81

13 The Court held a case management conference on December 13, 2016. Dkt. No. 76. At
14 the case management conference, the Court directed the parties to file supplemental briefing
15 regarding Plaintiffs' requests that the Court (1) order Defendant Accrediting Commission for
16 Community and Junior Colleges ("ACCJC") to delay implementation of any decision to terminate
17 City College of San Francisco's accreditation pending a hearing on a temporary restraining order
18 ("TRO") or (2) order ACCJC to inform Plaintiffs of its accreditation decision on a specific date.
19 Id. The parties have submitted their supplemental briefing. Dkt. Nos. 77, 81.

20 * * *

21 Having reviewed the parties' supplemental briefing, the Court DENIES Plaintiffs'
22 requests. The Court finds persuasive ACCJC's explanation that Plaintiffs' requested forms of
23 relief are impracticable, inconsistent with an orderly process for making and documenting
24 ACCJC's accreditation decisions, and unsupported by legal authority. The Court will hold
25 ACCJC to its representation that if it decides to terminate City College of San Francisco's
26 accreditation, it will inform the public, including Plaintiffs, of its decision within 24 hours of
27 notifying the institution. Dkt. No. 81 at 3. Additionally, the Court is unaware of any law that
28 would prevent City College from informing Plaintiffs immediately once it is notified of the

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termination of its accreditation status, if it so chooses. Although the timing of the briefing on any TRO sought may be taxing on the parties and the Court, the Court declines to issue an actual or de facto injunction that interferes with ACCJC's normal business practices at this stage in the litigation.

IT IS SO ORDERED.

Dated: 1/11/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge