

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

D.S. and M.S., parents, on behalf of Student J.S.,)	Case No.: 12-CV-00850-LHK
Plaintiff,)	
v.)	ORDER REGARDING FILING OF
SANTA CRUZ CITY SCHOOL DISTRICT,)	NOTICE OF SETTLEMENT; ORDER
SANTA CRUZ COUNTY OFFICE OF)	CONTINUING HEARING ON MOTION
EDUCATION, AND SANTA CRUZ COUNTY)	FOR LEAVE TO AMEND, APPEAL OF
CHILDRENS' MENTAL HEALTH SERVICES,))	ADMINISTRATIVE DECISION, AND
Defendants.)	REQUEST FOR ATTORNEY'S FEES

On June 20, 2013, a hearing was held on Plaintiffs': (1) Motion for Leave to Amend, ECF No. 28, and (2) Appeal challenging the Administrative Law Judge's decision and request for attorney's fees, ECF No. 34. During the hearing, the Court issued its tentative rulings and requested that the parties meet and confer to discuss whether it was possible to settle the case.

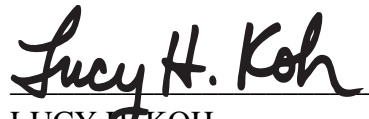
After meeting and conferring, the parties informed the Court that the parties have reached a tentative settlement. Plaintiffs stipulated with Defendant Children's Mental Health Services ("CMH") that the Appeal would be denied as to CMH and that CMH should be dismissed from the case. Finally, the parties agreed that J.S. should be added as a party in this case.

Accordingly, the Court ORDERS that:

- 1 (1) J.S. is added as a Plaintiff in this case;
- 2 (2) Plaintiffs' Appeal is DENIED as to CMH. Plaintiffs and CMH shall file a stipulation
3 dismissing CMH as a Defendant by June 24, 2013;
- 4 (3) By June 28, 2013, Plaintiffs and Defendants Santa Cruz County Office of Education
5 ("COE") and Santa Cruz City School District ("District") shall file a notice stating
6 that they have finalized and executed their settlement agreement subject to the
7 condition that the settlement agreement shall not become effective as to the District
8 until the School Board approves the agreement. Plaintiffs and COE shall
9 additionally file a stipulation dismissing COE from the case;
- 10 (4) By August 26, 2013, the Wednesday following the School Board's August 21, 2013
11 meeting, Plaintiffs and the District shall file a stipulation dismissing the District
12 from the case; and
- 13 (5) The hearing on Plaintiffs' pending Motion for Leave to Amend, Appeal, and Request
14 for attorney's fees is CONTINUED to September 26, 2013, at 1:30 p.m.

15 **IT IS SO ORDERED.**

16 Dated: June 20, 2013

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18 LUCY H. KOH
19 United States District Judge