

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

OSCAR SALINAS,
Plaintiff,

v.

PALO ALTO UNIVERSITY; DR. ALLEN CALVIN, In His Individual And Official Capacity; DR. JAMES BRECKENRIDGE, In His Individual And Official Capacity; DR. ROBERT RUSSELL, In His Individual And Official Capacity; DR. SANDRA MACIAS, In Her Individual And Official Capacity; and DR. AMANDA FANNIFF, In Her Individual And Official Capacity,
Defendants.

Case No. [5:15-cv-06336-HRL](#)

INTERIM ORDER RE DEFENDANTS' MOTION TO DISMISS

As discussed at the April 26, 2016 motion hearing, defendants shall submit supplemental briefing with respect to their arguments concerning the arbitration clause in the Student Handbook. Additionally, with respect to plaintiff's negligence claim, this court will, upon further reflection, require defendants to submit authority that their arguments also apply to private schools.¹

¹ Defendants' cited Wells v. One2One Learning Found., 141 P.2d 225 (Cal. S. Ct. 2006), which concerned a charter school that allegedly fraudulently claimed and received public education funds from the state. The question presented was whether and under what circumstances public school districts, charter schools, and the operators of such schools could be exposed to civil liability based on such allegations.

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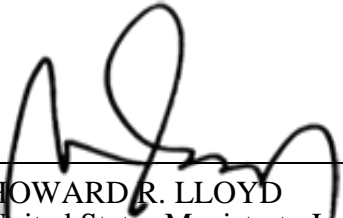
Defendants' supplemental briefing shall be submitted by **May 3, 2016**.

Plaintiff's response shall be filed by **May 10, 2016**.

Unless otherwise ordered, the matter will then be deemed submitted without further briefing or oral argument.

SO ORDERED.

Dated: April 26, 2016



HOWARD R. LLOYD
United States Magistrate Judge

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5:15-cv-06336-HRL Notice has been electronically mailed to:

Michael Joseph Vartain mike@vartainlaw.com, charissa@vartainlaw.com,
emelina@vartainlaw.com, stacey@vartainlaw.com, william@vartainlaw.com

Oscar Salinas osalinas10@hotmail.com

William Charles Teeling william@vartainlaw.com, charissa@vartainlaw.com,
emelina@vartainlaw.com