

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

CRATON LIDDELL, et al.,)
)
Plaintiffs,)
)
v.)
)
BOARD OF EDUCATION OF THE)
CITY OF ST. LOUIS, MISSOURI, et)
al.,)
)
Defendants.)

No. 4:72CV100 HEA

OPINION, MEMORANDUM AND ORDER

This matter is before the Court on the Motion to Remove Intervenor Ken Ross, Junior and Substitute Intervenor Michelle Neals, [Doc. No.458] and the Joint Motion to Reconsider and/or Amend Order, [Doc. No. 460]. For the reasons set forth below, the Motion to Remove and Substitute will be granted. The Motion to Reconsider will be denied.

Discussion

Ken Ross, Jr. moves to be removed as an intervenor in this matter because he has moved out of the City of St. Louis, and therefore, his children are no longer attending the Charter Public Schools of the City of St. Louis. Michelle Neals has submitted an affidavit wherein she avers that she lives in the City of St. Louis and

that her son attends Lafayette Prep Academy, a charter public school in the City of St. Louis. The Liddell Plaintiffs, the Caldwell/NAACP Plaintiffs and the Special Administrative Board of the Transitional School District of the City of St. Louis (“SAB”)(collectively “Joint Movants”) oppose the Motion and have filed the Motion to Reconsider and/or Amend the Court’s Order. Joint Movants argue that Mr. Ross removed his children from the public school system prior to the Court granting leave for him to intervene, therefore, he had no standing to seek to intervene. They further argue that since Mr. Ross had no standing, Ms. Neal should not be allowed to be substituted for Mr. Ross.

The Court is unpersuaded by the Joint Movants’ issues. Ms. Neal has submitted an affidavit which establishes that she does have standing as an intervenor. Nothing is accomplished by refusing her substitution.

Accordingly,

IT IS HEREBY ORDERED that the Motion to Remove Intervenor Ken Ross, Junior and Substitute Intervenor Michelle Neals, [Doc. No.458] is **GRANTED.**

IT IS FURTHER ORDERED that the Joint Motion to Reconsider and/or

Amend Order, [Doc. No. 460] is **DENIED**.

Dated this 10th day of December, 2018.

A handwritten signature in black ink, reading "Henry Edward Autrey", written over a horizontal line.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE