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FILED
Superior Court of California
County of Los Angeles

JUN 18 2010

6 SUE ANN SALMON EVANS, SBN 151562
7 BRIAN A. DUUS, SBN 263403
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9 301 E. Ocean Blvd., Suite 1750
10 Long Beach, CA 90802
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John A. Clarke, Jr. Justice Officer/Clerk
By ANNETTE FAJARDO, Deputy

11 Attorneys for Respondents Los Angeles Unified School District, The
12 Board of Education of LAUSD, Superintendent Ramon Cortines, and
13 Local District Superintendent Jean Brown

13 SUPERIOR COURT OF THE STATE OF CALIFORNIA
14 FOR THE COUNTY OF LOS ANGELES

14 CHERYL SHAPIRO, an individual; TINA
15 GERALD, an individual; HEATHER KOLODNY,
16 an individual; SCOTT BRACHMAN, an
17 individual; MYRNA FLEMING, an individual; and
18 STEVEN SHAPIRO, an individual,

Case No. BS121469

~~PROPOSED~~
JUDGMENT DENYING
PEREMPTORY WRIT OF
MANDATE

Petitioners,

Trial: May 13, 2010
Time: 9:30 a.m.
Dept: 85

v.

19 LOS ANGELES UNIFIED SCHOOL DISTRICT;
20 THE BOARD OF EDUCATION OF THE
21 LAUSD; RAMON CORTINES, Superintendent of
22 Schools; MARSHA COATES, individually and as
23 CEO of a purported Charter School organization in
24 formation; JEAN BROWN, District One
25 Superintendent, and DOES 1 through 25, inclusive,

Complaint Filed: July 9, 2009

Exempt from filing fees pursuant to
Gov. Code, § 6103.

Respondents.

24 BIRMINGHAM COMMUNITY CHARTER
25 HIGH SCHOOL, a California corporation;
26 MARSHA COATES, in her official capacity as
27 CEO of Birmingham Community Charter High
28 School,

Real Parties in Interest.

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JUN 11 2010

DEPT 85

FILED

1 The hearing on the merits of Petition for Writ of Mandamus or Administrative
2 Mandamus; Request for Stay and Request for Attorneys' Fees ("Petition") by Petitioners
3 Cheryl Shapiro, Tina Gerald, Heather Kolodny, Scott Brachman, Myrna Fleming, and Steven
4 Shapiro ("Petitioners") came on for hearing in Department 85 of the above entitled court on
5 May 13, 2010.

6 Robert P. Baker appeared on behalf of Petitioners. Sue Ann Salmon Evans of Dannis
7 Woliver Kelley and Devora Navera Reed of Los Angeles Unified School District Office of
8 General Counsel appeared on behalf of Respondents Los Angeles Unified School District, the
9 Board of Education of the LAUSD, Ramon Cortines and Jean Brown ("Respondents"). Paul
10 Minney and Andrew Minney of Middleton Young & Minney appeared on behalf of
11 Respondent Marsha Coates and Real Parties in Interest Birmingham Community Charter High
12 School and Marsha Coates ("Real Parties").

13 After full consideration of the evidence, and the submissions by the parties, IT IS
14 ORDERED, ADJUDGED, AND DECREED that:


15 The Petition for Writ of Mandate is DENIED.

16 Each party to bear its own costs and attorney fees.

17 Petitioners waive their right to appeal.

18 Date:

6/28/10

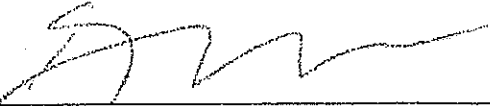
19 
The Honorable James C. Chalfant
20 Judge of the Superior Court

21 Approved as to Form and Content:

22 DATED:

23 LOS ANGELES UNIFIED SCHOOL DISTRICT
24 OFFICE OF THE GENERAL COUNSEL

25 By:


26 DEVORA NAVERA REED
27 Attorneys for Respondents Los Angeles Unified
28 School District, The Board of Education of
LAUSD, Ramon Cortines and Jean Brown

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DATED: 6/10/10

LAW OFFICES OF ROBERT P. BAKER

By: Robert P. Baker
ROBERT P. BAKER
Attorneys For Petitioners Cheryl Shapiro, Tina
Gerald, Heather Kolodny, Scott Brachman, Myrna
Fleming, And Steven Shapiro

DATED:

MIDDLETON, YOUNG & MINNEY

By: _____
ANDREW G. MINNEY
Attorneys For Real Parties in Interest Birmingham
Community Charter High School And Marsha Coates

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DATED:

LAW OFFICES OF ROBERT P. BAKER

By: _____
ROBERT P. BAKER
Attorneys For Petitioners Cheryl Shapiro, Tina
Gerald, Heather Kolodny, Scott Brachman, Myrna
Fleming, And Steven Shapiro

DATED: *June 10, 2010*

MIDDLETON, YOUNG & MINNEY

By: *AGM*
ANDREW G. MINNEY
Attorneys For Real Parties in Interest Birmingham
Community Charter High School And Marsha Coates

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA)
3 COUNTY OF LOS ANGELES) ss.

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not
5 a party to the within action; my business address is: 301 East Ocean Boulevard, Suite 1750, Long
6 Beach, CA 90802.

7 On the date set forth below I served the foregoing document described as **[PROPOSED]**
8 **JUDGMENT DENYING PEREMPTORY WRIT OF MANDATE** on interested parties in this
9 action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

10 **SEE ATTACHED SERVICE LIST**

11 (VIA U.S. MAIL) I caused such document to be placed in the U.S. Mail at Long Beach,
12 California with postage thereon fully prepaid.

13 I am "readily familiar" with the firm's practice of collection and processing
14 correspondence for mailing. It is deposited with the U.S. Postal Service on that same day
15 in the ordinary course of business. I am aware that on motion of party served, service is
16 presumed invalid if postal cancellation date or postage meter date is more than one day
17 after date of deposit for mailing in affidavit.

18 (VIA FACSIMILE) I caused such document to be transmitted via facsimile to the
19 addressee from the facsimile machine of DANNIS WOLIVER KELLEY whose phone
20 number is (562) 366-8505. The transmission by facsimile was reported as complete and
21 without error

22 (BY PERSONAL SERVICE) I caused such envelope to be delivered by hand to the
23 offices of the addressee.

24 (VIA OVERNIGHT MAIL) I caused such envelope to be deposited at an authorized
25 "drop off" box on that same day with delivery fees fully provided for at 301 East Ocean
26 Boulevard, Suite 1750, Long Beach, CA 90802, in the ordinary course of business.

27 (VIA ELECTRONIC SERVICE) [Code Civ. Proc. Sec. 1010.6; CRC 2.260] by
28 electronic mailing a true and correct copy through DANNIS WOLIVER KELLEY'S
electronic mail system from ifriend@DWKesq.com to the email address(es) set forth
above, or as stated on the attached service list per agreement in accordance with Code of
Civil Procedure section 1010.6 and CRC Rule 2.260. The transmission was reported as
complete and without error.

I declare under penalty of perjury under the laws of the State of California that the foregoing is
true and correct.

Executed on June 11, 2010 at Long Beach, California.



Ila Friend

Service List

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Interest Birmingham Community Charter High
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DEVORA NAVERA REED, Assistant General
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Unified School District, The Board of
Education of LAUSD, Superintendent Ramon
Cortines, and Local District Superintendent
Jean Brown