

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

THE COALITION FOR EQUITY AND
EXCELLENCE IN MARYLAND
HIGHER EDUCATION, *et al.*

v.

MARYLAND HIGHER EDUCATION
COMMISSION, *et al.*

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Civil No. CCB-06-2773

ORDER

To supplement and amend the court's prior Ruling (ECF No. 382), it is hereby

ORDERED that:

1. the findings of fact and conclusions of law contained in the Ruling are hereby reaffirmed and adopted as an Order of the court;
2. the court finds the defendants liable for unnecessary program duplication as explained in the Ruling;
3. the court's Ruling and this Order involve a controlling question of law as to which there is substantial ground for difference of opinion, and an immediate appeal may materially advance the ultimate termination of the litigation;
4. accordingly, the court certifies for interlocutory appeal under 28 U.S.C. § 1292(b) the Ruling and Order, and in particular the holding that, despite having desegregated its TWIs, the State can be held liable for unnecessary program duplication affecting its HBIs. The court recognizes that the Fourth Circuit, if it accepts this case for interlocutory appeal, may revise this issue or add additional issues to be considered; and

5. The Clerk shall send copies of this Order to counsel of record.

June 29, 2015
Date

/S/
Catherine C. Blake
United States District Judge