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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

Plaintiff J.P. on behalf of her minor son
R.P., and all others similarly situated;
THE NATIONAL CENTER FOR FAIR
& OPEN TESTING; A.K., individually
and on behalf of all others similarly
situated; R.G. on behalf of her minor son
J.G., and all others similarly situated;
Plaintiff M.S. on behalf of her minor
daughter Z.S., and all others similarly
situated,

Plaintiffs,

vs.

EDUCATIONAL TESTING SERVICES
(ETS), a New York corporation;
THE COLLEGE ENTRANCE
EXAMINATION BOARD, a New York
Corporation, doing business as THE
COLLEGE BOARD; and
DOES 1 through 50, inclusive,

Defendants.

Case No.:2:20-cv-04502-PSG (PVCx)

**MOTION TO CORRECT DOCKET
ITEMS NOS. 34-1 AND 34-9 TO
REMOVE AND REPLACE
INCORRECTLY FILED
DOCUMENTS**

**[Concurrently filed with Plaintiffs'
Memorandum of Points & Authorities
to Re-Open Litigation; Declaration of
Phillip A. Baker and Proposed Order]**

**Date: April 5, 2021
Time: 1:30 p.m.
Judge Philip S. Gutierrez
Courtroom: 6A**

MEMORANDUM OF POINTS AND AUTHORITIES

On February 23, 2021, The National Center for Fair & Opening Testing and the individually named plaintiff students, collectively the “Plaintiffs,” filed their Motion to Re-Open Litigation Pursuant to Court Order (the “Motion”). Within the documents filed in support of the Motion, specifically at pg. 9 of Dkt. 34-1 and pgs. 4-5 of Dkt. 34-9, certain confidential information was presented that should have been redacted but inadvertently was not. Although the Clerk of the Court has placed a temporary seal on these items to prevent disclosure or circulation of confidential information, Plaintiffs seek to promptly and permanently correct this error by replacing the unredacted documents with properly redacted versions.

Thus, in view of the Protective Order implemented in this case [See Dkt. 16, 19], Plaintiffs respectfully request that the Court permit them to correct this error by removing Dkt. 34-1 and Dkt. 34-9 from the ECF system and allowing Plaintiffs to replace them with properly redacted versions, which Plaintiffs are concurrently filing along with the present motion. Plaintiffs are informed and believe that no prejudice will inure to any party as a result of this request, as Defendants in this matter are on notice of this issue and have assisted in correcting this error already.

DATED: February 24, 2021

BAKER, KEENER & NAHRA, LLP

By /s/ PHILLIP A. BAKER

PHILLIP A. BAKER
DERRICK S. LOWE

Attorneys for Plaintiffs

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By /s/ MARCI LERNER MILLER

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