

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN PROTECTION AND
ADVOCACY SERVICE, INC.

File No: 2:15-CV-12470

Plaintiff,

Hon. David M. Lawson,
District Judge

v.

Hon. Mona K. Majzoub,
Magistrate Judge

FLINT COMMUNITY SCHOOLS AND
LARRY WATKINS, JR., in his official
capacity as Interim Superintendent of
Flint Community Schools,

Defendants.

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NOTICE OF SETTLEMENT ON APPEAL AND AMENDED
JOINT MOTION FOR INDICATIVE RULING TO EFFECT
TERMS OF SETTLEMENT

The parties hereby provide notice of their settlement of all matters in dispute, subject to this Court's willingness to take certain action necessary to effectuate the settlement. Pursuant to Rule 62.1 of the Federal Rules of Civil Procedure, the parties jointly request an indicative ruling that the Court will, upon remand from the Sixth Circuit Court of Appeals, proceed with such requested action.

While on appeal, the parties participated in mediation discussions under Rule 33 of the Sixth Circuit Rules, and they reached a Settlement Agreement, the terms of which require certain action by this Court (*See* Exhibit A). The terms of this Agreement were reached through good faith negotiations by the parties, with the guidance of the Office of the Circuit Mediators for the Sixth Circuit. The parties believe that the relief to which they have mutually agreed is reasonable and materially congruent to the terms of the Court's November 23, 2015 Order Granting Plaintiff's Motion for Preliminary Injunction [dkt. #23].

On November 18, 2016, the parties submitted a Joint Motion for Indicative Ruling [dkt. #33] to the District Court. On November 22, 2016, the Court issued an Order Granting in Part Motion for Indicative Ruling [dkt. #34]. In response to that Order, the parties hereby submit this amended Motion, with a copy of the Settlement Agreement attached.

The parties respectfully request that this Court, upon review of the attached Settlement Agreement, amend its Order Granting in Part Motion for Indicative Ruling to indicate that it will accept the limited remand from the Court of Appeals and proceed to enter the parties' Settlement Agreement as an Order of the Court.

Respectfully submitted,

MICHIGAN PROTECTION and ADVOCACY
SERVICE, INC.
Attorneys for Plaintiff

Dated: December 2, 2016

By: /s/ Bradley J. Dembs
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CERTIFICATE OF SERVICE

I hereby certify that on December 2, 2016, I electronically filed the foregoing *Notice of Settlement on Appeal and Amended Joint Motion for Indicative Ruling to Effect Terms of Settlement* with the Clerk of the Court using the ECF system which will send notification of such filing to Defendants' counsel.

Dated: December 2, 2016

By: /s/ Bradley J. Dembs

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