

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

MISSOURI STATE CONFERENCE OF)
THE NATIONAL ASSOCIATION FOR)
THE ADVANCEMENT OF COLORED)
PEOPLE, et al.,)

Plaintiffs,)

vs.)

Cause No. 4:14 CV 2077 RWS

FERGUSON-FLORISSANT SCHOOL)
DISTRICT, et al.,)

Defendants.)

DECLARATION OF CINDY ORMSBY

1. I am over eighteen years of age and have personal knowledge of all the facts to which I hereby attest to in this Declaration.

2. I am a partner at the law firm Crotzer & Ormsby, LLC. I am representing Ferguson-Florissant School District ("FFSD") in the above-captioned lawsuit.

3. In August 2015, I had a telephone call with a high-ranking official within the St. Louis County NAACP ("County NAACP"). She advised me that the FFSD School Board approached the County NAACP during the suspension of its superintendent in 2013 and assured that the suspension was not racially motivated. She also advised me that, as a former school board member in a different district, she did not believe single-member districts were beneficial because board members should be elected by and accountable to all voters within the school district.

4. After she agreed to testify as a fact witness, I amended FFSD's Fed. R. Civ. P. 26(a)(1) disclosures to identify her. The amended disclosures (with the official's name redacted)

are enclosed as **Exhibit A** to this declaration. I served the amended disclosures via email on Wednesday, August 26, 2015.

5. On Monday, August 31, I received a call from the County NAACP official advising him that she was contacted on Saturday, August 29, by the national NAACP office and told not to testify in this lawsuit. Upon learning this, I sent an email to Plaintiffs' counsel on August 31, enclosed as **Exhibit B** to this declaration. I did not receive any response.

6. That same day, I served second amended disclosure that removed the County NAACP official under protest. The second amended disclosure is enclosed as **Exhibit C**.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Date:

Cindy Reeds Ormsby
Cindy Reeds Ormsby

Subscribed and sworn to before me this 4th day of September, 2015.

[Signature] #14631126
Notary Public

My Commission expires: 10-28-16

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he is a person of such age and discretion as to be competent to serve papers. It is further certified that on September 4, 2015, the undersigned electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participant(s):

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Dated this 4th day of September, 2015.

s/ John A. Safarli
John A. Safarli, *pro hac vice*