

ELLEN F. ROSENBLUM
Attorney General
SARAH WESTON #085083
Assistant Attorney General
Department of Justice
100 SW Market Street
Portland, OR 97201
Telephone: (971) 673-1880
Fax: (971) 673-5000
Email: Sarah.Weston@doj.state.or.us

Attorneys for Defendants Oregon Department of Education and Governor Kate Brown

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PARENTS FOR PRIVACY; KRIS GOLLY
and JON GOLLY, individually [and as
guardians ad litem for A.G.]; LINDSAY
GOLLY; NICOLE LILLIE; MELISSA
GREGORY, individually and as guardian ad
litem for T.F.; and PARENTS RIGHTS IN
EDUCATION, an Oregon nonprofit
corporation,

Plaintiffs,

v.

DALLAS SCHOOL DISTRICT NO.2;
OREGON DEPARTMENT OF
EDUCATION; GOVERNOR KATE
BROWN, in her official capacity as the
Superintendent of Public Instruction; and
UNITED STATES DEPARTMENT OF
EDUCATION; BETSY DEVOS, in her
official capacity as United States Secretary of
Education as successor to JOHN B. KING,
JR.; UNITED STATES DEPARTMENT OF
JUSTICE; JEFF SESSIONS, in his official
capacity as United States Attorney General, as
successor to LORETTA F. LYNCH,

Defendants.

Case No. 3:17-cv-01813-HZ

STIPULATION OF DISMISSAL OF ACTION
AS TO STATE DEFENDANTS PURSUANT
TO FRCP 41(A)(1)(A)(II)

Plaintiffs in this action, the Oregon Department of Education, and Oregon Governor Kate Brown stipulate and agree that:

1. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), this Action should be dismissed without further proceedings with respect to the Oregon Department of Education and Oregon Governor Kate Brown (collectively, "State Defendants").

2. This dismissal will be with prejudice as to the single claim alleged against State Defendants in the Complaint.

3. Plaintiffs agree they will not pursue the claim described in paragraph 2 of this stipulation against State Defendants in State Court.

4. State Defendants waive any right to seek fees or costs from Plaintiffs in connection with this action.

5. State Defendants do not waive their rights to seek the Court's leave to appear amicus in this proceeding at a future point.

6. In light of this stipulation, which will result in dismissal of this action as to State Defendants, State Defendants' pending Motion to Dismiss (ECF No. 9) may be denied as moot.

DATED December 15, 2017.

Respectfully submitted,

ELLEN F. ROSENBLUM
Attorney General

s/ Sarah Weston
SARAH WESTON #085083
Assistant Attorney General
Trial Attorney
Sarah.Weston@doj.state.or.us
Of Attorneys for the Oregon Department
of Education and Governor Kate Brown

s/ Herbert G. Grey
Herbert G. Grey, OSB #810250
4800 SW Griffith Drive, Suite 320
Beaverton, OR 97005-8716
Telephone: 503-641-4908
Email: herb@greylaw.org

Ryan Adams, OSB #150778
181 N. Grant Street, Suite 212
Canby, OR 97013
Telephone: 503-266-5590
Email:
ryan@ruralbusinessattorneys.com
Of Attorneys for Plaintiffs