

CLOSED, REMAND, REOPEN

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:00-cv-01205-BJR

PICS v. Seattle School Dist, et al
Assigned to: Judge Barbara J. Rothstein
Demand: \$0
Case in other court: 9th Circuit, 09-35105
Cause: 42:1983 Civil Rights Act

Date Filed: 07/18/2000
Date Terminated: 08/04/2009
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

**Parents Involved in Community
Schools**
a Washington nonprofit corporation

represented by **Daniel Benjamin Ritter**
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V.

Defendant

Seattle School District No 1
*a political subdivision of the State of
Washington*

represented by **Carol Sue Janes**
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ATTORNEY TO BE NOTICED

Defendant

Joseph Olchefske

in his official capacity as superintendent

represented by **Carol Sue Janes**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Mark Stephen Green

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Michael Madden

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Barbara Schaad-Lamphere

*in her official capacity as President of the
Board of Directors of Seattle Public
Schools*

represented by **Carol Sue Janes**

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Mark Stephen Green

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LEAD ATTORNEY

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Michael Madden

(See above for address)

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Defendant

Donald Nielson

*in his official capacity as Vice President
of the Board of Directors of Seattle Public
Schools*

represented by **Carol Sue Janes**

(See above for address)

LEAD ATTORNEY

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Mark Stephen Green

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Defendant

Steven Brown

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Michael Madden
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Defendant

Jan Kumasaka

represented by **Carol Sue Janes**
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Defendant

Michael Preston

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Mark Stephen Green
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Michael Madden
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Defendant

Nancy Waldman
*in their official capacities as members of
the Board of Directors*

represented by **Carol Sue Janes**
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Mark Stephen Green
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Counter Claimant

Seattle School District No 1

represented by **Carol Sue Janes**
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LEAD ATTORNEY
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Mark Stephen Green
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Shannon Marie McMinimee
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Counter Claimant

Joseph Olchefske

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Counter Claimant

Donald Nielson

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V.

Counter Defendant

**Parents Involved in Community
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LEAD ATTORNEY
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Harry James Franklyn Korrell , III
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/18/2000	1	COMPLAINT (Summons(es) issued) Receipt # 300864 (PM) Modified on 07/28/2000 (Entered: 07/24/2000)
07/20/2000	2	ATTORNEY APPEARANCE for defendants by Michael Madden (RS) (Entered: 07/26/2000)
07/21/2000	3	ACCEPTANCE/ACKNOWLEDGEMENT OF SERVICE of summons and complaint by defendants on 7/18/00 (KERR) (Entered: 07/27/2000)
07/28/2000	4	ANSWER to complaint [1-1] and COUNTERCLAIM by defendant against plaintiff (VK) (Entered: 08/02/2000)
07/28/2000	5	NOTICE by defendants of ASSOCIATION OF ATTORNEY by Mark S. Green (VK) (Entered: 08/02/2000)
07/28/2000	6	REQUESTS for production and interrogatories by defendant Seattle School Dist for (VK) (Entered: 08/02/2000)
07/28/2000	7	AFFIDAVIT OF SERVICE by defendant of counterclaim answer [4-1], of counterclaim complaint [4-2] etc. (VK) (Entered: 08/02/2000)
08/01/2000	10	ANSWER TO COUNTERCLAIM [4-2] by counter-defendant PICS (KERR) (Entered: 08/03/2000)
08/03/2000	8	ORDER re: DISCOVERY and DEPOSITIONS by Judge Marsha J. Pechman (cc: counsel, Judge) (TG) (Entered: 08/03/2000)
08/03/2000	9	ORDER/NOTICE OF JOINT STATUS REPORT Joint Status Report due 9/2/00 (cc: counsel, Judge) (TG) (Entered: 08/03/2000)
09/01/2000	11	JOINT STATUS REPORT filed by all parties. Est. Trial Days: 5 (RS) (Entered: 09/08/2000)
09/22/2000	12	ORDER by Judge Marsha J. Pechman setting trial and related dates. Last date for adding new parties is 10/23/00; expert disclosures due 11/15/01; discovery ddl set for 1/15/01 ; mtn filing ddl set for 1/25/01 ; pretrial order ddl set for 2/14/01 ; pretrial conf set for 1:30 2/19/01 ; trial brief ddl set for 3/8/01 ; trial set for 3/13/01 Motions in Limine deadline 2/1/01 ; (cc: counsel, Judge) (MD) (Entered: 09/25/2000)
09/22/2000	13	ORDER by Judge Marsha J. Pechman ; 39.1 designation effective set for 12/1/00 (cc: counsel, Judge) (MD) (Entered: 09/25/2000)

11/15/2000	<u>14</u>	STIPULATION and ORDER by Judge Marsha J. Pechman : Disclose Expert Witnesses by 12/15/00 ; ; 39.1 designation effective extended to 1/15/01 (cc: counsel, Judge) (MD) (Entered: 11/16/2000)
12/11/2000		LODGED ORDER: stipulation and order modifying case schedule (MD) (Entered: 12/12/2000)
12/14/2000	<u>15</u>	MINUTE ORDER: by Judge Marsha J. Pechman recuses herself and the Case reassigned to Judge Barbara J. Rothstein (cc: counsel, MJP, BJR, Intake, Liz) (MD) (Entered: 12/15/2000)
12/14/2000	<u>16</u>	ORDER re: DISCOVERY and DEPOSITIONS by Judge Barbara J. Rothstein (cc: counsel, Judge) (KERR) (Entered: 12/18/2000)
12/14/2000	<u>17</u>	ORDER SETTING TRIAL and PRETRIAL SCHEDULES and Designating case under Local Rule CR 39.1 by Judge Barbara Jacobs Rothstein: Court Trial set for 9:30 5/7/01 ; Pretrial Order set for 4/9/01 ; Trial briefs to be submitted by 4/23/01 ; Motions in Limine deadline 4/23/01 ; Motion filing ddl 2/15/01 ; 39.1 designation effective 2/28/01 ; Discovery deadline set for 2/5/01 ; Disclose Expert Witnesses by 1/8/01 ; Disclose Rebuttal Expert Witnesses by 2/22/01 ; Court Trial set for 5 days (cc: counsel, Judge) (KERR) (Entered: 12/18/2000)
12/19/2000		LODGED ORDER: re: stipulated mtn relieving parties of obligation to mediate (KERR) (Entered: 12/19/2000)
12/21/2000	<u>18</u>	MINUTE ORDER: by Judge Barbara J. Rothstein – The parties' mtn for an order relieving them of the LR 39.1 obligation to mediate is DENIED. The court hereby refers the parties in this dispute to Judge Dwyer for mediation. Parties to contact Trish Graham to schedule a mediation confr in February (cc: counsel, Judge) (KERR) (Entered: 12/21/2000)
12/21/2000	<u>19</u>	STIPULATED MOTION AND ORDER MODIFYING CASE SCHEDULE by Judge Barbara J. Rothstein : Disclose Expert Witnesses by 1/15/01 ; discovery ddl amd to 2/15/01 ; mtn filing ddl amd to 2/15/01 Motions in limine deadline amd to 2/22/01 ; pretrial order ddl amd to 3/7/01 ; trial brief ddl amd to 3/29/01 ; trial amd to 9:30 4/3/01 (cc: counsel, Judge) (KERR) (Entered: 12/21/2000)
12/28/2000	20	MAIL RETURNED: re: Minute Order [18–1] addressed to Daniel Ritter Esq. (KERR) (Entered: 12/28/2000)
12/29/2000	21	MOTION by defendants for partial summary judgment NOTED FOR 2/2/01 (KERR) (Entered: 12/29/2000)
12/29/2000	22	MEMORANDUM by defendants in support of motion for partial summary judgment [21–1] (KERR) (Entered: 12/29/2000)
12/29/2000	23	DECLARATION of Morgan Lewis by defendants re motion for partial summary judgment [21–1] (KERR) (Entered: 12/29/2000)
12/29/2000	24	DECLARATION of Rebecca Taylor by defendants re motion for partial summary judgment [21–1] (KERR) (Entered: 12/29/2000)
12/29/2000	25	DECLARATION of Michael Madden by defendants in support of motion for partial summary judgment [21–1] (KERR) (Entered: 12/29/2000)
12/29/2000		LODGED ORDER: re: motion for partial summary judgment [21–1] (KERR) (Entered: 12/29/2000)
12/29/2000	26	AFFIDAVIT OF SERVICE by defendants of motion for partial summary judgment [21–1] etc (KERR) (Entered: 12/29/2000)
01/04/2001	27	MOTION by plaintiff for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 NOTED FOR 1/19/01 (RS) (Entered: 01/05/2001)
01/04/2001	28	MEMORANDUM by plaintiff in support of motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27–1] (RS) (Entered: 01/05/2001)
01/04/2001	29	DECLARATION of Harry J.F. Korrell by plaintiff re motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27–1] (RS) (Entered: 01/05/2001)

		01/05/2001)
01/04/2001		LODGED ORDER: re: motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] (RS) (Entered: 01/05/2001)
01/04/2001	30	MOTION by plaintiff to shorten time on motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] NOTED FOR 1/9/01 (RS) (Entered: 01/05/2001)
01/04/2001		LODGED ORDER: re: motion to shorten time on motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] [30-1] (RS) (Entered: 01/05/2001)
01/04/2001	31	MOTION by defendants for leave to file overlength brief (dfts' memo in support of partial summ jgm motion) NOTED FOR 2/2/01 (RS) (Entered: 01/05/2001)
01/04/2001		LODGED ORDER: re: motion for leave to file overlength brief (dfts' memo in support of partial summ jgm motion) [31-1] (RS) (Entered: 01/05/2001)
01/08/2001	32	RESPONSE by defendants to motion to shorten time on motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] [30-1] (RS) (Entered: 01/09/2001)
01/10/2001	33	RESPONSE by defendants to motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] (RS) (Entered: 01/12/2001)
01/10/2001	34	DECLARATION of Michael Madden by defendant re: motion response [33-1] (RS) (Entered: 01/12/2001)
01/10/2001	35	AFFIDAVIT OF SERVICE by defendant of motion response [33-1] etc (RS) (Entered: 01/12/2001)
01/11/2001	36	REPLY by plaintiff TO RESPONSE to motion for a continuance on its reply to dfts' motion for partial summ jgm until 2/15/01 [27-1] (RS) (Entered: 01/12/2001)
01/11/2001	37	SUPPLEMENTAL DECLARATION of Harry Korrell by plaintiff re: motion reply [36-1] (RS) (Entered: 01/12/2001)
01/22/2001	<u>38</u>	MINUTE ORDER: by Judge Barbara J. Rothstein renoting dfts' motion for partial summary judgment [21-1] to 2/16/01; response due 2/12/01; dfts' reply due 2/15/01 (cc: counsel, Judge) (RS) (Entered: 01/23/2001)
02/02/2001	<u>39</u>	ORDER by Judge Barbara J. Rothstein GRANTING dfts' motion for leave to file overlength brief (dfts' memo in support of partial summ jgm motion) [31-1] (cc: counsel, Judge) (RS) (Entered: 02/02/2001)
02/07/2001	40	MOTION by defendants to exclude pltf's expert NOTED FOR 2/9/01 (RS) (Entered: 02/09/2001)
02/07/2001	41	DECLARATION of Michael Madden by defendant re motion to exclude pltf's expert [40-1] (RS) (Entered: 02/09/2001)
02/07/2001	42	AFFIDAVIT OF SERVICE by defendant motion to exclude pltf's expert [40-1] etc (RS) (Entered: 02/09/2001)
02/08/2001	44	RESPONSE by plaintiff to exclude pltf's rebuttal expert (RS) (Entered: 02/12/2001)
02/08/2001	45	DECLARATION of Harry Korrell by plaintiff re: motion response [44-1] (RS) (Entered: 02/12/2001)
02/08/2001	46	AFFIDAVIT OF SERVICE by plaintiff motion response [44-1] etc (RS) (Entered: 02/12/2001)
02/08/2001	47	REPLY DECLARATION of Michael Madden TO RESPONSE to motion to exclude pltf's expert (RS) (Entered: 02/12/2001)
02/08/2001	48	AFFIDAVIT OF SERVICE motion reply [47-1] (RS) (Entered: 02/12/2001)

02/09/2001	<u>43</u>	MINUTE ORDER: by Judge Barbara J. Rothstein DENYING dfts' motion to exclude pltf's expert [40-1] (cc: counsel, Judge) (RS) (Entered: 02/09/2001)
02/12/2001	<u>49</u>	Cross MOTION by plaintiff for partial summary judgment on state law claims (Oral Argument Requested) NOTED FOR 3/9/01 (VK) (Entered: 02/13/2001)
02/12/2001	<u>50</u>	MEMORANDUM by plaintiff in support of cross motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1], and opposing defts' motion for partial summary judgment [21-1] (VK) (Entered: 02/13/2001)
02/12/2001	<u>51</u>	DECLARATION of Harry J. F. Korrell by plaintiff re attachments to pltf's memo supporting its motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1], and opposing defts' motion for partial summary judgment [21-1] (FILED IN EXPANDO) (VK) (Entered: 02/13/2001)
02/12/2001	<u>52</u>	DECLARATION of Jill Kurfirst by plaintiff re motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1] (VK) (Entered: 02/13/2001)
02/12/2001	<u>53</u>	AFFIDAVIT OF SERVICE by plaintiff motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1] etc. (VK) (Entered: 02/13/2001)
02/12/2001		LODGED ORDER: re: granting pltf's motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1] (VK) (Entered: 02/13/2001)
02/15/2001	54	MOTION by defendants for partial summary judgment re compelling interests NOTED FOR 3/9/01 (CL) (Entered: 02/16/2001)
02/15/2001	55	MEMORANDUM by defendants in support of motion for partial summary judgment re compelling interests [54-1] (CL) (Entered: 02/16/2001)
02/15/2001	56	DECLARATION of Nan Stavnsjoj by defendants, exhibits attached. (CL) (Entered: 02/16/2001)
02/15/2001	57	DECLARATION of Michael Madden by defendants in support of motion for partial summary judgment re compelling interests [54-1], exhibits attached. (CL) (Entered: 02/16/2001)
02/15/2001	58	DECLARATION of Wm T. Trent by defendants, exhibits attached. (CL) (Entered: 02/16/2001)
02/15/2001	59	DECLARATION of John Vacchiery by defendants, exhibits attached. (CL) (Entered: 02/16/2001)
02/15/2001	60	DECLARATION of Eric Benson by defendants (CL) (Entered: 02/16/2001)
02/15/2001		LODGED ORDER: re: motion for partial summary judgment re compelling interests [54-1] (CL) (Entered: 02/16/2001)
02/15/2001	61	AFFIDAVIT OF SERVICE by defendants of motion for partial summary judgment re compelling interests [54-1], etc. (CL) (Entered: 02/16/2001)
02/15/2001	62	MOTION by plaintiff PICS for partial summary judgment on federal law claims, OA Req'd NOTED FOR 3/9/01 (CL) (Entered: 02/20/2001)
02/15/2001	63	MEMORANDUM by plaintiff PICS in support of motion for partial summary judgment on federal law claims, OA Req'd [62-1] (CL) (Entered: 02/20/2001)
02/15/2001		Declaration of Harry J.F. Korrell regarding attachments to pltf's mem. re: memorandum [63-1]. (See declaration complete declaration filed/docket #69). (CL) Modified on 02/20/2001 (Entered: 02/20/2001)
02/15/2001		LODGED ORDER: re: motion for partial summary judgment on federal law claims, OA Req'd [62-1] (CL) (Entered: 02/20/2001)
02/15/2001	64	AFFIDAVIT OF SERVICE by plaintiff PICS of motion for partial summary judgment on federal law claims, OA Req'd [62-1], etc. (CL) (Entered: 02/20/2001)
02/15/2001	65	REPLY by defendants TO RESPONSE to motion for partial summary judgment [21-1], and in OPPOSITION to pltf's cross mtn (CL) Modified on 02/20/2001

		(Entered: 02/20/2001)
02/15/2001	65	RESPONSE by defendants to motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1] (CL) (Entered: 02/20/2001)
02/15/2001	66	SUPPLEMENTAL DECLARATION of Morgan Lewis by defendants in support of motion for partial summary judgment [21-1] (CL) (Entered: 02/20/2001)
02/15/2001	67	DECLARATION of Michael Madden by defendant authenticating exhibits to dfts' reply br in support of motion response [65-1] (CL) (Entered: 02/20/2001)
02/15/2001	68	AFFIDAVIT OF SERVICE by defendants of motion response [65-1], of motion reply [65-1], etc. (CL) (Entered: 02/20/2001)
02/16/2001	69	DECLARATION of Harry J.F. Korrell by plaintiff PICS regarding attachments to pltf's memorandum supporting its mtn for partial sum jgm on the federal law claims, exhibits attached. (FILED IN EXPANDO) (CL) Modified on 02/20/2001 (Entered: 02/20/2001)
02/16/2001	70	AFFIDAVIT OF SERVICE by plaintiff PICS of declaration [69-1] (CL) (Entered: 02/20/2001)
02/20/2001	<u>71</u>	MINUTE ORDER: by Judge Barbara J. Rothstein setting settlement conf with Judge Dwyer at 9am on 3/14/01; settlement briefs due 3/9/01 (cc: counsel, Judges) (RS) (Entered: 02/21/2001)
02/20/2001	72	ERRATA by plaintiff to memorandum in support of mtn for p sum jgmt of Federal Law Claims [63-1] (KERR) (Entered: 02/22/2001)
02/20/2001	73	CORRECTED MEMORANDUM by plaintiff in support of motion for partial summary judgment on federal law claims, OA Req'd [62-1] (KERR) (Entered: 02/22/2001)
02/20/2001		PRAECIPE by Seattle School Dist, et al to attach or replace documents to motion reply [65-1] in the Court file. (KERR) (Entered: 02/22/2001)
02/27/2001	<u>74</u>	MINUTE ORDER: by Judge Barbara J. Rothstein vacating the pretrial order deadline (cc: counsel, Judge) (RS) (Entered: 03/05/2001)
03/05/2001	75	RESPONSE (OPPOSITION) to motion for partial summary judgment on federal law claims [62-1] and CROSS MOTION by defendants re narrow tailoring NOTED FOR 3/23/01. Cross motion not noted-ltr sent (RS) (Entered: 03/07/2001)
03/05/2001	76	DECLARATION of Michael Madden by defendant re: motion response [75-1], re motion re narrow tailoring [75-2] (RS) (Entered: 03/07/2001)
03/05/2001	77	SECOND SUPPLEMENTAL DECLARATION of Morgan Lewis by defendants re: motion response [75-1] (RS) (Entered: 03/07/2001)
03/05/2001	78	DECLARATION of Joseph Olchefske by defendant re: motion response [75-1] (RS) (Entered: 03/07/2001)
03/05/2001	79	AFFIDAVIT OF SERVICE by defendant motion response [75-1] etc (RS) (Entered: 03/07/2001)
03/05/2001	80	RESPONSE (MEMORANDUM OPPOSING) by plaintiff to motion for partial summary judgment re compelling interests [54-1] OA REQ'D by pltf (RS) (Entered: 03/07/2001)
03/05/2001	81	DECLARATION of David Armor PhD by plaintiff re: motion response [80-1] (RS) (Entered: 03/07/2001)
03/05/2001	82	AFFIDAVIT OF SERVICE by plaintiff motion response [80-1] etc (RS) (Entered: 03/07/2001)
03/05/2001	110	DECLARATION of Harry J.F. Korrell by plaintiff re: motion response [80-1] (RS) (Entered: 07/12/2001)
03/08/2001	83	REPLY by defendants TO RESPONSE to motion for partial summary judgment re compelling interests [54-1] (RS) (Entered: 03/09/2001)

03/08/2001	84	DECLARATION of Michael Madden by defendant re: motion reply [83-1] (RS) (Entered: 03/09/2001)
03/08/2001	85	AFFIDAVIT OF SERVICE by defendant motion reply [83-1] etc (RS) (Entered: 03/09/2001)
03/08/2001	86	REPLY by plaintiff TO RESPONSE to motion for partial summary judgment on federal law claims, OA Req'd [62-1] (RS) (Entered: 03/09/2001)
03/08/2001	87	REPLY by plaintiff TO RESPONSE to motion for partial summary judgment on state law claims [49-1] (RS) (Entered: 03/09/2001)
03/08/2001	88	DECLARATION of Harry J.F. Korrell by plaintiff re: motion reply [86-1] (filed in expando) (RS) (Entered: 03/09/2001)
03/08/2001	89	AFFIDAVIT OF SERVICE by plaintiff motion reply [86-1] etc (RS) (Entered: 03/09/2001)
03/12/2001		PRAECIPE by PICS to attach or replace documents to motion response [75-1] in the Court file. (RS) (Entered: 03/13/2001)
03/14/2001	90	MOTION by defendants to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow NOTED FOR 3/30/01 (KERR) (Entered: 03/19/2001)
03/14/2001		LODGED ORDER: re: motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] (KERR) (Entered: 03/19/2001)
03/14/2001	91	AFFIDAVIT OF SERVICE by defendants of motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] etc (KERR) (Entered: 03/19/2001)
03/21/2001	<u>92</u>	MINUTE ORDER: by Judge Barbara J. Rothstein SETTING OA on motions for partial summary judgment [54-1] [62-1] [49-1] [21-1] at 10:00 am on 3/28/01. Each side will have 20 minutes (cc: counsel, Judge) (KERR) (Entered: 03/21/2001)
03/26/2001	94	RESPONSE by plaintiff to motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] (RS) (Entered: 03/28/2001)
03/26/2001		LODGED ORDER: re: motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] (RS) (Entered: 03/28/2001)
03/26/2001	95	AFFIDAVIT OF SERVICE by defendant motion reply [93-1] etc (RS) (Entered: 03/28/2001)
03/27/2001	93	REPLY by defendants TO RESPONSE to motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] (RS) (Entered: 03/28/2001)
03/28/2001	96	MINUTES OF ORAL ARGUMENT ON CROSS MOTIONS FOR SUMMARY JGM: BJR; Dep Clerk: K Lane; CR: Laurene Kelly; cnsl present. After hearing arguments of counsel, ct takes matter under advisement (RS) (Entered: 03/30/2001)
04/05/2001	<u>97</u>	MINUTE ORDER: by Judge Barbara J. Rothstein DENYING dfts' motion to strike decl of Harry JF Korrell attachments 18, 27 and 28 and the decl of Kathryn Loppnow [90-1] (cc: counsel, Judge) (RS) (Entered: 04/06/2001)
04/06/2001	<u>98</u>	ORDER by Judge Barbara J. Rothstein Defts' motions for sj. GRANTING defts motion for partial summary judgment re compelling interests [54-1], DENYING pltf's motion for partial summary judgment on federal law claims, OA Req'd [62-1], DENYING pltf's motion for partial summary judgment on state law claims (Oral Argument Requested) [49-1], GRANTING defts' motion for partial summary judgment (cc: counsel, Judge) (MD) (Entered: 04/06/2001)
04/06/2001	<u>99</u>	JUDGMENT: by Judge Barbara J. Rothstein, Defts' motions for sj are granted and pltf's motions for sj are denied. (cc: counsel, Judge, Jgm. Book) Entered on: 4/6/01 (MD) (Entered: 04/06/2001)
04/26/2001	<u>100</u>	Bill of costs; taxation due by 5/4/01 at 9am (assigned to Clerk Bruce Rifkin) by defendants NOTED FOR 5/4/01 (RS) (Entered: 04/30/2001)

04/26/2001	<u>101</u>	MEMORANDUM by defendants of costs re Bill of costs; taxation due by 5/4/01 at 9am (assigned to Clerk Bruce Rifkin) [100-1] (RS) (Entered: 04/30/2001)
04/26/2001	<u>102</u>	AFFIDAVIT OF SERVICE by defendants re Bill of costs; taxation due by 5/4/01 at 9am (assigned to Clerk Bruce Rifkin) [100-1] (RS) (Entered: 04/30/2001)
05/01/2001	<u>103</u>	NOTICE OF APPEAL (01-35450)by plaintiff PICS from Dist. Court decision [99-2], [98-1] (cc: CCA, Judge, counsel) (JK) Modified on 05/17/2001 (Entered: 05/03/2001)
05/01/2001		APPEAL FEE RECEIVED: fee in amount of \$ 105.00 (Receipt # 402961) (JK) (Entered: 05/03/2001)
05/01/2001		Civil Appeals Docketing Statement, by plaintiff PICS , forwarded to the Mediator's Office in Seattle. [103-1] (JK) (Entered: 05/03/2001)
05/01/2001	<u>104</u>	CERTIFICATE of Service re: appeal [103-1] (JK) (Entered: 05/03/2001)
05/03/2001		APPEAL NOTIFICATION packet sent to CCA (cc: cnsl) (JK) (Entered: 05/03/2001)
05/07/2001	<u>105</u>	COSTS taxed for defendants in the amount of \$ 1,065.65 against plaintiff (cc: counsel, Judge, Jgm. Book) (RS) (Entered: 05/07/2001)
05/07/2001	106	MAIL RETURNED: re: appeal [103-1] addressed to PICS, Seattle School Dist, Carol Sue Janes; returned for postage. (JK) (Entered: 05/07/2001)
05/11/2001	<u>107</u>	TRANSCRIPT DESIGNATION and Ordering Form for dates: 3/28/01 [103-1] (JK) (Entered: 05/11/2001)
05/17/2001		NOTIFICATION by Circuit Court of Appellate Docket Number 01-35450 (JK) (Entered: 05/17/2001)
05/17/2001	<u>108</u>	TIME SCHEDULE ORDER (CCA 01-35450) Appellant notify appellee of trans. ordered 5/11/01; appellee notify appellant of additional trans. 5/21/01; appellant file trans with district court 5/31/01; Court Reporter file trans. 7/2/01; Appellant opening brief due 8/17/01; Appellee brief due 9/17/01; Reply brief due w/in 14 days of service of appellee brief (JK) Modified on 05/17/2001 (Entered: 05/17/2001)
05/18/2001	109	TRANSCRIPT of proceedings for the following date(s): 3/28/01 (Re: oral argument [103-1]) CR initials: L. Kelly (JK) (Entered: 05/22/2001)
10/25/2001		CLERK'S RECORD ON APPEAL transmitted to Circuit (5 vol., 3 expando's) (SA) (Entered: 10/25/2001)
11/16/2001		CERTIFICATE OF RECORD Transmitted to USCA (cc: all counsel) (SA) (Entered: 11/16/2001)
11/18/2005	<u>113</u>	MANDATE of USCA (01-35450) as to <u>103</u> Notice of Appeal filed by Parents Involved in Community Schools, the judgment of the said district court is hereby AFFIRMED. (SA) (Entered: 11/22/2005)
11/18/2005	<u>114</u>	COSTS taxed in amount of \$1644.98 against Appellant Parents Involved in Community Schools (SA) (Entered: 11/22/2005)
09/17/2007	<u>115</u>	MANDATE of USCA (01-35450) It is ordered and adjudged that the judgment of the said District Court is hereby REMANDED. (LMK,) (Entered: 09/18/2007)
12/20/2007	<u>116</u>	MOTION for Entry of Judgment by Plaintiff Parents Involved in Community Schools. Noting Date 1/11/2008.(Korrell, Harry) Modified on 12/21/2007 (ECS,). (Entered: 12/20/2007)
12/20/2007	<u>117</u>	Letter from Harry Korrell re <u>116</u> MOTION for Entry of Judgment. (Korrell, Harry) Modified on 12/21/2007 (ECS,). (Entered: 12/20/2007)
12/21/2007	<u>118</u>	NOTICE of Association of Attorney by Shannon Marie McMinimee on behalf of Counter Claimant Seattle School District No 1, Defendant Seattle School District No 1. (McMinimee, Shannon) (Entered: 12/21/2007)

12/28/2007	<u>119</u>	MINUTE ORDER setting briefing schedule re <u>116</u> MOTION for Entry of Judgment ; opposition due 1/15/08, reply due 1/29/08, clerk renoted motion for 1/30/2008 by Judge Barbara J. Rothstein. (RS,) (Entered: 12/28/2007)
01/15/2008	<u>120</u>	RESPONSE, by Defendant Seattle School District No 1, to <u>116</u> MOTION for Entry of Judgment. (Madden, Michael) (Entered: 01/15/2008)
01/15/2008	<u>121</u>	DECLARATION of Cheryl Chow filed by Defendant Seattle School District No 1 re <u>116</u> MOTION for Entry of Judgment (Madden, Michael) (Entered: 01/15/2008)
01/29/2008	<u>122</u>	REPLY, filed by Plaintiff Parents Involved in Community Schools, TO RESPONSE to <u>116</u> MOTION for Entry of Judgment (Korrell, Harry) (Entered: 01/29/2008)
02/01/2008	<u>123</u>	REPLY, filed by Counter Claimant Seattle School District No 1, TO RESPONSE to <u>116</u> MOTION for Entry of Judgment (Madden, Michael) (Entered: 02/01/2008)
02/15/2008		Appeal Record Returned: 5 Volumes; 3 Expandos (LMK,) (Entered: 02/15/2008)
05/12/2008	<u>124</u>	MINUTE ORDER by Judge Barbara J. Rothstein. Re: <u>116</u> MOTION for Entry of Judgment filed by Parents Involved in Community Schools the court hereby directs the parties to brief this issue on the following schedule: PICS may file a brief in support of its entitlement to a fee award no later than Friday, June 6, 2008; Opposition briefing from defendants will be due on Friday, June 20, 2008; and PICS reply brief will be due on Friday, June 27,2008.(CL,) Modified on 5/12/2008 (CL,). (cc: mailed to M. Green, D. Ritter) (Entered: 05/12/2008)
06/06/2008	<u>125</u>	<i>Plaintiff's</i> BRIEF <i>On Its Entitlement to Attorney's Fees</i> by Plaintiff Parents Involved in Community Schools. (Korrell, Harry) (Entered: 06/06/2008)
06/20/2008	<u>126</u>	MEMORANDUM re <u>125</u> Brief <i>Re Entitlement to Attorneys Fees</i> by Defendant Seattle School District No 1. (Attachments: # <u>1</u> Appendix A–PICS' Ninth Circuit Brief on Fees, # <u>2</u> Appendix B–Court's Order Denying Fees)(Madden, Michael) (Entered: 06/20/2008)
06/27/2008	<u>127</u>	REPLY BRIEF re <u>125</u> Brief by Plaintiff Parents Involved in Community Schools.. (Korrell, Harry) (Entered: 06/27/2008)
09/29/2008		***Motion terminated per chambers : <u>116</u> MOTION for Entry of Judgment filed by Parents Involved in Community Schools. (TS,) (Entered: 09/29/2008)
01/12/2009	<u>129</u>	ORDER VACATING JUDGMENT IN FAVOR OF DEFENDANT AND GRANTING JUDGMENT IN FAVOR OF PLAINTIFF, by Judge Barbara J. Rothstein. (CL)(cc: mailed to attys Daniel Ritter and Mark Green) (Entered: 01/12/2009)
01/12/2009	<u>130</u>	JUDGMENT IN A CIVIL CASE/DECISION BY COURT. IT IS ORDERED AND ADJUDGED; In accordance with the decision of the United States Supreme Court in this case, Parents Involved in Community Schools v. Seattle School District No. 1 et al., 127 S. Ct. 2738 (2007); the judgment of the Supreme Court entered on July 28, 2007 (remanding this case to the Court of Appeals for the Ninth Circuit for further proceedings); and the Judgment of the Court of Appeals entered on August 22, 2007 (remanding the case to this court for further proceedings); and based upon the reasoning of the Supreme Court in its aforesaid decision, the court hereby: 1). vacates its April 6, 2001 grant of summary judgment in favor of Defendant, Seattle School District No. 1; 2). grants, in part, Plaintiff, Parents Involved in Community Schools' Motion for Entry of Judgment; 3). denies Plaintiff's Motion for Entry of Judgment insofar as it seeks injunctive or declaratory relief; 4. denies the District's Cross Motion for Dismissal; and 5. finds that Plaintiff is a prevailing party as that term is used in the Civil Rights Attorney's Fees Awards Act, 42 U.S.C. § 1988, but declines, at this juncture, to declare that PICS is entitled to an award of attorney's fees.(CL) . (cc: attys Daniel Ritter and Mark Green). (Entered: 01/12/2009)
01/21/2009	<u>131</u>	Mail Returned as Undeliverable re <u>129</u> Order Vacating Judgment addressed to Daniel Benjamin Ritter (VP) (Entered: 01/21/2009)
01/26/2009	<u>132</u>	BILL OF COSTS <i>and Attorney's Declaration</i> by Plaintiff Parents Involved in Community Schools. Noting Date 2/17/2009, (Korrell, Harry) (Entered: 01/26/2009)

01/26/2009	<u>133</u>	MOTION for Attorney Fees <i>and Costs</i> by Plaintiff Parents Involved in Community Schools. Noting Date 2/13/2009, (Korrell, Harry) (Entered: 01/26/2009)
01/26/2009	<u>134</u>	DECLARATION of Supplemental Declaration of Harry Korrell in Support of Plaintiff's Motion for Attorneys' Fees and Costs and Exhibit A filed by Plaintiff Parents Involved in Community Schools re <u>133</u> MOTION for Attorney Fees <i>and Costs</i> (Attachments: # <u>1</u> Exhibit A-1, part 1 to Korrell Supp Decl, # <u>2</u> Exhibit A-1, part 2 to Korrell Supp Decl, # <u>3</u> Exhibit A-2 to Korrell Supp Decl, # <u>4</u> Exhibit A-3 to Korrell Supp Decl, # <u>5</u> Exhibit A-4 to Korrell Supp Decl, # <u>6</u> Exhibit A-5, part 1 to Korrell Supp Decl, # <u>7</u> Exhibit A-5, part 2 to Korrell Supp Decl, # <u>8</u> Exhibit A-5, part 3 to Korrell Supp Decl, # <u>9</u> Exhibit A-5, part 4 to Korrell Supp Decl, # <u>10</u> Exhibit A-5, part 5 to Korrell Supp Decl, # <u>11</u> Exhibit A-5, part 6 to Korrell Supp Decl, # <u>12</u> Exhibit A-5, part 7 to Korrell Supp Decl, # <u>13</u> Exhibit A-6 to Korrell Supp Decl, # <u>14</u> Exhibit Ex B (McKay Decl) to Korrell Supp Decl, # <u>15</u> Exhibit Exs C-E (Gorder, Carvin, Taylor Decls) to Korrell Supp Decl)(Korrell, Harry) (Entered: 01/26/2009)
01/26/2009		MOTION(S) REFERRED TO BRUCE RIFKIN, CLERK: re <u>132</u> BILL OF COSTS <i>and Attorney's Declaration</i> by Plaintiff Parents Involved in Community Schools filed by Parents Involved in Community Schools (MD) (Entered: 01/27/2009)
01/28/2009	<u>135</u>	MINUTE ORDER – The court has received a letter from Defendant's counsel dated January 28, 2009, seeking clarification of this court's January 12, 2009 Order. At this time, the court expects Defendant to address the issue of Plaintiff's entitlement to an award of attorney's fees, not the reasonableness of the fees requested by Judge Barbara J. Rothstein. (MD) Modified on 1/28/2009 –mailed copy of minute order to Attorney Daniel Ritter and Attorney Mark Green(MD). (Entered: 01/28/2009)
02/05/2009	<u>136</u>	NOTICE OF APPEAL (09-35105) as to <u>129</u> Order by Plaintiff Parents Involved in Community Schools. Filing Fee \$455, Receipt number 0981000000001664290. (Korrell, Harry) Modified on 2/12/2009 (SA). (Entered: 02/05/2009)
02/05/2009	<u>137</u>	REPRESENTATION STATEMENT, by Plaintiff Parents Involved in Community Schools, (re: <u>136</u> Notice of Appeal.) (Korrell, Harry) (Entered: 02/05/2009)
02/05/2009	<u>138</u>	Civil Appeals Docketing Statement by Plaintiff Parents Involved in Community Schools, to be transmitted by Clerk to Circuit Court of Appeals. (Korrell, Harry) (Entered: 02/05/2009)
02/05/2009		Appeal Fees received: fee in the amount of \$ 455.00 (receipt # SEA1664290) re <u>136</u> Notice of Appeal filed by Parents Involved in Community Schools (SA) (Entered: 02/05/2009)
02/05/2009	<u>139</u>	APPEAL NOTIFICATION packet sent to US Court of Appeals re <u>136</u> Notice of Appeal (Attachments: # <u>1</u> Docket)(SA) (Entered: 02/05/2009)
02/05/2009	<u>140</u>	Mail Returned as Undeliverable re <u>135</u> Minute Order, addressed to Daniel B. Ritter (MD) (Entered: 02/06/2009)
02/06/2009	<u>141</u>	NOTICE of Change of Address for Daniel B. Ritter ; filed by Plaintiff Parents Involved in Community Schools. (Korrell, Harry) (Entered: 02/06/2009)
02/06/2009	<u>142</u>	MEMORANDUM <i>Re Special Circumstances</i> by Defendant Seattle School District No 1. (Attachments: # <u>1</u> Declaration of Michael Madden)(Madden, Michael) (Entered: 02/06/2009)
02/12/2009	<u>143</u>	NOTICE OF Cross APPEAL (09-35121) by Defendant Seattle School District No 1. Filing Fee \$455, Receipt number 0981000000001671027. (Attachments: # <u>1</u> Civil Appeals Docketing Statement, # <u>2</u> Representation Statement)(Madden, Michael) Modified on 2/18/2009, add CCA case # (SA). (Entered: 02/12/2009)
02/12/2009	<u>144</u>	TIME SCHEDULE ORDER (09-35105)as to <u>136</u> Notice of Appeal filed by Parents Involved in Community Schools : Appellant shall notify Appellee regarding transcripts by 2/17/09; Appellee to notify Appellant regarding any additional transcripts by 2/25/09; Transcript designation due by 3/9/09; Transcript by court reporter due by 4/6/09; Appellants opening brief due by 5/26/09;

		Appellees response brief due by 6/22/09; Appellants optional reply brief due within 14 days of service of the response brief. (SA) Modified on 2/18/2009 (SA). (Entered: 02/12/2009)
02/12/2009		USCA Case Number 09-35105 for <u>136</u> Notice of Appeal filed by Parents Involved in Community Schools. (SA) (Entered: 02/12/2009)
02/13/2009	<u>145</u>	APPEAL NOTIFICATION packet sent to US Court of Appeals re <u>143</u> Notice of Appeal (Attachments: # <u>1</u> Docket)(LMK) (Entered: 02/13/2009)
02/13/2009	<u>146</u>	REPLY, filed by Plaintiff Parents Involved in Community Schools, TO RESPONSE to <u>133</u> MOTION for Attorney Fees <i>and Costs</i> (Korrell, Harry) (Entered: 02/13/2009)
02/18/2009	<u>147</u>	ORDER granting <u>132</u> Motion for Bill of Costs in the amount of \$ 7,443.79 against Defendant Seattle School District No. 1 by Clerk Bruce Rifkin.(BR) (Entered: 02/18/2009)
02/27/2009	<u>148</u>	TRANSCRIPT REQUEST by Plaintiff Parents Involved in Community Schools Requesting Attorney: Harry James Franklyn Korrell, III. (Korrell, Harry) (Entered: 02/27/2009)
02/27/2009	<u>149</u>	TRANSCRIPT REQUEST by Plaintiff Parents Involved in Community Schools Requesting Attorney: Harry James Franklyn Korrell, III. (Korrell, Harry) (Entered: 02/27/2009)
03/18/2009	<u>150</u>	MINUTE ORDER-IN CHAMBERS PROCEEDINGS: It has come to the court's attention that the parties to this case are participating in the 9th Circuit's Mediation Program. Consequently, this court will temporarily defer ruling on the issue of PICS' entitlement to attorneys' fees. The parties are instruction to contact the court with a status update on or before May 15, 2009. Motions terminated: <u>133</u> MOTION for Attorney Fees <i>and Costs</i> filed by Parents Involved in Community Schools, by Judge Barbara J. Rothstein. (MD) Modified on 3/18/2009 -mailed copy of order to Daniel Ritter and Mark Stephen Green(MD). (Entered: 03/18/2009)
07/28/2009	<u>151</u>	NOTICE of Withdrawal of Plaintiff's Motion for Attorney's Fees and Costs ; filed by Plaintiff Parents Involved in Community Schools. (Korrell, Harry) (Entered: 07/28/2009)
08/04/2009	<u>152</u>	MANDATE of USCA (09-35105, 09-35121) as to <u>143</u> Notice of Appeal, filed by Seattle School District No 1, <u>136</u> Notice of Appeal filed by Parents Involved in Community Schools, The parties have stipulated to the dismissal of these appeals. These appeals are DISMISSED. Costs and attorney fees are allocated according to the provisions of the stipulation. (SA) (Entered: 08/04/2009)