

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

H(2304)83
4/22/83

CRATON LIDDELL, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 72-100-C(4)
)	
BOARD OF EDUCATION OF THE CITY)	(Exempt from Pre-filing
OF ST. LOUIS, MISSOURI, et al.,)	circulation by Order H(2288)83)
)	
Defendants.)	

STATE DEFENDANTS' RESPONSE TO THE MOTION OF THE CITY OF ST. LOUIS
TO SET ASIDE ORDER H(2276)83

Pursuant to Court Order H(2288)83, State Defendants respond herein to St. Louis City's motion to set aside the Court's approval of the proposed notice to class members, to order a supplemental notice which will fairly and accurately state funding provisions of the proposed settlement plan and to reschedule the fairness and funding hearing. State Defendants support the motion and seek to join as additional movants.

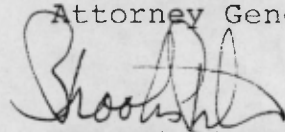
The reasons for the motion are set forth in the City's suggestions. However, State Defendants have an additional reason for rescheduling the April 28 hearing. None of the school districts have submitted a budget for examination by the objecting parties, the Court or the public. State Defendants contend that this hearing should not be held until all districts submit their budgets in a timely manner to allow the Court and the parties to examine the proposed costs. Subsection X.3 of the Settlement Agreement contemplates that "each district shall prepare a budget setting forth the

estimated costs which it will incur as a result of this Settlement Agreement."

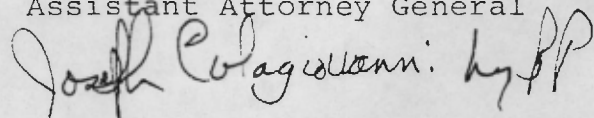
State Defendants contend that one reason the Settlement Agreement is unreasonable is because of the excessive costs. However, unless the Court orders each school district to disclose its budget, it may be impossible for the Court and the public to be fully apprised of the costs. Each district should disclose its budget in a timely manner for the objectors to examine for reasonableness. Since the districts have not yet disclosed their budgets, the Court should reset the hearing in order to give the objectors sufficient time to examine the budgets.

Respectfully submitted,

JOHN ASHCROFT
Attorney General



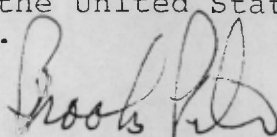
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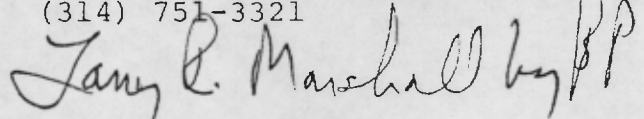
CERTIFICATE OF SERVICE

On this 21st day of Aug, 1983, I certify that I will mail a copy of the foregoing document to all parties of record by placing a true copy of same in the U.S. Mail, postage prepaid and addressed to all counsel of record as soon as the document number is received from the United States District Clerk.



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