

H(2274)83

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

APR 11 1972

BYRON WENDENHALL, CLERK
U. S. DISTRICT COURT
E. DISTRICT OF MO.

CRATON LIDDELL, et al.,)
)
Plaintiffs)
)
vs.)
)
THE BOARD OF EDUCATION OF THE)
CITY OF ST. LOUIS, MISSOURI, et al.)
)
Defendants.)

No. 72-100 C(4)

SUGGESTED
MEMORANDUM AND ORDER

This matter is before the Court on the submission of the Special Master to the Court of the proposed settlement of this cause of action.

The plaintiffs are the black students who attend or are eligible to attend the public schools of the City of St. Louis and their parents and the black students who attend the public schools in the 23 school districts in St. Louis County, Missouri and their parents.

The plaintiffs along with the cross-complainant St. Louis City School District contend that the defendants have effected and perpetuated racial segregation and discrimination in their operation and maintenance of the public schools in their respective school districts in violation of the plaintiffs rights under the Fourteenth Amendment of the United States Constitution and the

laws of the State of Missouri. Partial relief has been afforded in prior adjudication in this cause of action. (citations)

This is an appropriate class action under F.R.C.P. 23(a) and 23(b)(2) and the plaintiffs may maintain this action as such on behalf of themselves and all those similarly situated. The parties are here applying for the Court's approval of their proposed final settlement. The Court being advised on the premises and having heretofore allowed this action to be maintained as a class action under the Rules of F.R.C.P. 23(a) and 23(b)(2), pursuant to the orders entered by this Court on _____ and in view of the many persons this may affect, notice will be required in this case as set forth herein as a matter of due process of law.

It is hereby ordered as followed:

1. Plaintiffs shall publish a notice in the St. Louis Daily Record beginning _____ April, 1983, and continue each _____ thereafter for _____ consecutive weeks, giving notice to all prospective members of the class and other interested parties that anyone objecting to the said proposed settlement shall file with the Court a statement of their objections, in writing, with a supporting brief setting forth reasons for their objections, no later than _____ April, 1983, at _____ O'Clock a.m. The notice shall further state that the hearing on such objections, which may be filed pursuant thereto, shall be held before this Court on _____, April _____, 1983, at _____ O'Clock a.m. pursuant to F.R.C.P. 23(e)(2).

2. It is further ordered that the responsibility of publishing this notice in the newspapers and the costs and reasonable and necessary expenses thereto shall be paid by the plaintiffs, provided such costs and expenses shall be taxable as costs to abide the judgment of the Court.

3. It is further ordered that the clerk of the Court shall mail copies of the notice of the pendency of this hearing to all television and radio stations listed in Southwestern Bell Telephone Company's _____, 1983 "Yellow Pages" for the City of St. Louis, Missouri.

4. It is further ordered that said notice shall read as follows:

NOTICE OF SETTLEMENT OF
CLASS ACTION SUIT

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

CRATON LIDDELL, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	No. 72-100 C(4)
)	
THE BOARD OF EDUCATION OF THE)	
CITY OF ST. LOUIS, MISSOURI, et al.)	
)	
Defendants.)	

To: All Students, Those Eligible to be Students, and Their Parents in the City of St. Louis Public School District, and all Students, Those Eligible to be Students, and Their Parents in the Public School District located and situated in the County of St. Louis, Missouri.

Notice is hereby given that a proposed settlement of the class action suit between the above parties is scheduled for a Fairness Hearing pursuant to F.R.C.P. 23(e)(2) in the United States District Court at St. Louis, Missouri, on the ____ day of _____, 1983, at _____ o'clock a.m.

All parties objecting to the proposed settlement shall file with the Court a statement of their objections, in writing, with a supporting brief setting forth reasons for their objections, no later than _____, April _____, 1983, at _____ o'clock a.m.

Reference is made to the proposed settlement and all pleadings on file in the United States District Court of St. Louis, Missouri.

Be advised that this notice is not to be understood as an expression of any opinion by this Court as to the merits of any of the claims or defenses asserted by either side, but is published for the sole purpose of informing interested parties of the pendency of this settlement and Fairness Hearing scheduled pursuant to the Rules of Federal Procedure 23(e)(2).

Dated this ____ day of _____, 1983.

UNITED STATES DISTRICT JUDGE

Copy mailed to all
counsel of record
this 7 day of April,
1983.

William P. Russell
WILLIAM P. RUSSELL

Respectfully submitted,

William P. Russell
WILLIAM P. RUSSELL and
JOSEPH S. MCDUFFIE
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