

1 JOHN F. DAUM (SB #52313)
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11 SUPERIOR COURT OF THE STATE OF CALIFORNIA

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13 CITY AND COUNTY OF SAN FRANCISCO

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15 ELIEZER WILLIAMS, et al.,) Case No. 312 236
16)
17 Plaintiffs,) Hearing Date: October 16, 2000
18)
19 vs.) Time: 9:00 a.m.
20)
21 STATE OF CALIFORNIA, DELAINE) Department: 414
22 EASTIN, State Superintendent)
23 Of Public Instruction, STATE) Judge: Hon. Peter J. Busch
24 DEPARTMENT OF EDUCATION, STATE)
25 BOARD OF EDUCATION,)
26)
27 Defendants.)
28)

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32 **NOTICE OF MOTION TO STAY**

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34 **OF DEFENDANT STATE OF CALIFORNIA**

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37 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

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42 Please take notice that on October 16, 2000, at the
43 hour of 9:00 a.m., or as soon thereafter as counsel may be heard,
44 defendant State of California ("the State") will move the above-

45

46 **NOTICE OF MOTION TO STAY**

1 captioned Court, in Department 414 thereof, at 400 McAllister
2 Street, San Francisco, California, 94102, for an order staying
3 all proceedings in this action pending: (1) plaintiffs' filing an
4 amended complaint setting forth the content of the standards they
5 contend should be promulgated by defendant State of California;
6 and (2) completing their administrative remedies pursuant to the
7 Uniform Complaint Procedures.

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9 Said motion will be made on the ground that until
10 plaintiffs have specified their claims and completed their
11 administrative remedies, it is a waste of the time of the Court
12 and the parties to proceed with pleadings, motion practice,
13 discovery, or other proceedings in this matter, and that a stay
14 will serve the interest of judicial efficiency and economy and
15 will husband the resources of the Court and the parties.

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17 Said motion will be made on the basis of this Notice,
18 the Memorandum of Points and Authorities filed herewith, the
19 Demurrer of Defendant State of California filed this date and its
20 accompanying Memorandum of Points and Authorities, the
21 Declaration of Benjamin Rozwood filed herewith, the files,
22 records, and pleadings of this action, and such further showing
23 as may be made at the hearing of said motion.

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DATED: September 25, 2000

JOHN F. DAUM
FRAMROZE M. VIRJEE
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By: John F. Daum / DSN
John F. Daum

Attorneys for Defendant State
of California