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18 SUPERIOR COURT OF THE STATE OF CALIFORNIA

19 COUNTY OF SAN FRANCISCO

20 ELIEZER WILLIAMS, a minor, by Sweetie
Williams, his guardian ad litem; et al., each
21 individually and on behalf of all others similarly
situated,

22 Plaintiffs,

23 v.

24 STATE OF CALIFORNIA; DELAINE EASTIN,
State Superintendent of Public Instruction;
25 STATE DEPARTMENT OF EDUCATION;
STATE BOARD OF EDUCATION,

26 Defendants.

Case No. 312236

[CLASS ACTION]

**PLAINTIFFS' NOTICE OF MOTION AND
MOTION TO SEVER AND STAY
PROCEEDINGS**

Hearing Date: April 11, 2001

Time: 8:30 a.m.

Department: 16, Hall of Justice

Judge: Hon. Peter J. Busch

Date Action Filed: May 17, 2000

1 STATE OF CALIFORNIA,
2
3 Cross-Complainant,
4 v.
5 SAN FRANCISCO UNIFIED SCHOOL
DISTRICT, a school district, et al.
6 Cross-Defendants.
7

8
9 TO DEFENDANTS STATE OF CALIFORNIA, STATE BOARD OF EDUCATION,
10 SUPERINTENDENT OF PUBLIC INSTRUCTION, CALIFORNIA DEPARTMENT OF
EDUCATION, CROSS-DEFENDANT school districts AND THEIR ATTORNEYS OF
11 RECORD:

12 Please take notice that Petitioner will and hereby does move the Superior Court in and for
13 the City and County of San Francisco, pursuant to *California Code of Civil Procedure* § 1048 and
14 the court's inherent authority to control the proceedings before it, for an order severing trial of
15 Defendant State of California's Cross-Complaint from trial of this action and staying proceedings
16 on the Cross-Complaint. The Court will hear this motion on Wednesday, April 11, 2001, at 8:30
17 a.m. in Department 16, Hall of Justice located at 850 Bryant Street, 2nd Floor, San Francisco,
18 California.

19 This motion is based upon this Notice of Motion and Motion; the supporting Memorandum
20 of Points and Authorities and any supporting papers; all other pleadings, records, and files in this
21 action; and the arguments and evidence that may be presented to the Court at the time of the
22 hearing.

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1 Dated in San Francisco, California, on the 21st day of March 2001.

2 Respectfully submitted,

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