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SUPERIOR COURT OF THE STATE OF CALIFORNIA

CITY AND COUNTY OF SAN FRANCISCO

11 ELIEZER WILLIAMS, et al.,) Case No. 312 236
12)
13 Plaintiffs,) Hearing Date: October 16, 2000
14)
15 vs.) Time: 9:00 a.m.
16)
17 STATE OF CALIFORNIA, DELAINE) Department: 414
18 EASTIN, State Superintendent)
19 Of Public Instruction, STATE) Judge: Hon. Peter J. Busch
20 DEPARTMENT OF EDUCATION, STATE)
21 BOARD OF EDUCATION,)
22)
23 Defendants.)
24)

**DEMURRER OF DEFENDANT STATE OF CALIFORNIA
TO PLAINTIFFS' FIRST AMENDED COMPLAINT**

Defendant State of California ("the State") hereby demurs to the First Amended Complaint in this action, and to each cause of action thereof, on the following grounds:

DEMURRER TO FIRST AMENDED COMPLAINT

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1. The State demurs to the entire complaint on the ground that it is uncertain within the meaning of C.C.P. § 430.10(f).

2. The State demurs to each purported cause of action on the ground that such cause of action is uncertain within the meaning of C.C.P. § 430.10(f).

3. The State demurs to the entire complaint on the ground that it fails to state a cause of action since plaintiffs possess administrative remedies which they have failed to exhaust, and the complaint does not allege that plaintiffs have exhausted their administrative remedies.

4. The State demurs to each purported cause of action contained in the complaint on the ground that each such purported cause of action fails to state a cause of action since plaintiffs possess administrative remedies which they have failed to exhaust, and the complaint does not allege that plaintiffs have exhausted their administrative remedies.

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DATED: September 25, 2000

JOHN F. DAUM
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By: John F. Daum
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