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UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

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KINNEY KINMON LAU, et al.,

No C C-70-627 LHB

Plaintiffs,

ORDER

CORR STATE AND STATE DR EUGENE HOPP, et al,

Defendant.

It has come to the attention of the undersigned chief judge that the San Francisco Unified School District (SFUSD) has continued to file with the court annual reports pursuant to a consent decree in this matter long after the retirement of the judicial officer to which this matter was assigned, Judge Lloyd H Burke. Inquiries revealed that SFUSD's practice in the years since Judge Burke left the court was to direct the delivery of the report to the district judge on duty at the time of each filing. Meanwhile, the clerk's office has continued to docket the filings with those of visiting and retired

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The status quo may satisfy requirements of form, but is empty of substance. SFUSD is dutifully filing reports, but no judicial officer is attending to the consent decree compliance issues that the reports are intended in part to address. The fact that the parties have been content with this status quo suggests that the court may no longer be serving any useful role.

Accordingly, the parties are now ordered to show cause, within thirty (30) days of the date of this order, why the court should not issue an order relieving SFUSD of any further responsibility for reporting to the court under the consent decree herein. If any party believes that the court's continued oversight is necessary, it shall explain the nature of said oversight and estimate for how long it believes said oversight will be necessary.

A chambers copy of any court paper filed in response to this order shall be directed to the chambers of the undersigned judge.

IT IS SO ORDERED.

VAUGHN R WALKER

United States District Chief Judge

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

KINNEY KINMON LAU, et al.,

Plaintiff.

Case Number: C70-0627 LHB

CERTIFICATE OF SERVICE

V.

DR. EUGENE HOPP, et al.,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 24, 2006, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Angela Miller Deputy General Counsel SFUSD 555 Franklin St., 3rd Floor San Francisco, CA 94102

Jeremiah Glassman U.S. Dept. of Justice Civil Rights Division Educational Opportunities Section, PHB 950 Pennsylvania Ave., NW Washington, DC 20530

Edward H. Steinman Santa Clara University School of Law 500 El Camino Real Bergin 212 Santa Clara, CA 95053

Christopher Ho Legal Aid Society of San Francisco 600 Harrison St., #120 San Francisco, CA 94107

Richard W. Wieking, Clerk

Y: Rymon Deputy Clerk

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