

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 19-17555

Docketed: 12/23/2019

Nature of Suit: 2899 Other Statutes - APA Review/Appeal
Equal Rights Advocates, et al v. Elisabeth DeVos, et al

Appeal From: U.S. District Court for Northern California, San Francisco

Fee Status: Paid

Case Type Information:

- 1) civil
- 2) united states
- 3) null

Originating Court Information:

District: 0971-3 : [3:18-cv-00535-JSC](#)

Court Reporter: Belle Ball

Court Reporter: Joan Marie Columbini

Trial Judge: Jacqueline Scott Corley, Magistrate Judge

Date Filed: 01/25/2018

Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
11/01/2019	11/01/2019	12/20/2019	12/20/2019

Prior Cases:

None

Current Cases:

None

EQUAL RIGHTS ADVOCATES
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SURVJUSTICE, INC.
Plaintiff,

v.

ELISABETH DEVOS, in her official capacity
as Secretary of Education
Defendant - Appellee,

Marleigh Dover, Esquire, Assistant Director
[COR NTC Government]
DOJ - U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Stephanie Robin Marcus
[COR NTC Fed Public Defender]
DOJ - U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

CANDICE JACKSON, in her official
capacity as Acting Assistant Secretary for
Civil Rights
Defendant - Appellee,

Marleigh Dover, Esquire, Assistant Director
[COR NTC Government]
(see above)

Stephanie Robin Marcus
[COR NTC Fed Public Defender]
(see above)

U.S. DEPARTMENT OF EDUCATION
Defendant - Appellee,

Marleigh Dover, Esquire, Assistant Director
[COR NTC Government]
(see above)

Stephanie Robin Marcus
[COR NTC Fed Public Defender]
(see above)

KENNETH L. MARCUS, in his official
capacity as Assistant Secretary for Civil
Rights
Defendant - Appellee,

Marleigh Dover, Esquire, Assistant Director
[COR NTC Government]
(see above)

Stephanie Robin Marcus
[COR NTC Fed Public Defender]
(see above)

EQUAL RIGHTS ADVOCATES; VICTIM RIGHTS LAW CENTER,
Plaintiffs - Appellants,

and

SURVJUSTICE, INC.,

Plaintiff,

v.

ELISABETH DEVOS, in her official capacity as Secretary of Education; CANDICE JACKSON, in her official capacity as Acting Assistant Secretary for Civil Rights; U.S. DEPARTMENT OF EDUCATION; KENNETH L. MARCUS, in his official capacity as Assistant Secretary for Civil Rights,

Defendants - Appellees.

- 12/23/2019 [1](#)
31 pg, 1.74 MB DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. The schedule is set as follows: Appellants Equal Rights Advocates and Victim Rights Law Center Mediation Questionnaire due on 12/30/2019. Transcript ordered by 01/21/2020. Transcript due 02/18/2020. Appellants Equal Rights Advocates and Victim Rights Law Center opening brief due 03/30/2020. Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and U.S. Department of Education answering brief due 04/30/2020. Appellant's optional reply brief is due 21 days after service of the answering brief. [11542147] (RT) [Entered: 12/23/2019 12:55 PM]
- 12/30/2019 [2](#)
2 pg, 198.09 KB Filed (ECF) Appellants Equal Rights Advocates and Victim Rights Law Center Mediation Questionnaire. Date of service: 12/30/2019. [11546677] [19-17555] (Thurston, Robin) [Entered: 12/30/2019 01:46 PM]
- 12/30/2019 3 The Mediation Questionnaire for this case was filed on 12/30/2019. To submit pertinent **confidential** information directly to the Circuit Mediators, please use the following [link](#). Confidential submissions may include any information relevant to mediation of the case and settlement potential, including, but not limited to, settlement history, ongoing or potential settlement discussions, non-litigated party related issues, other pending actions, and timing considerations that may impact mediation efforts.[11547323]. [19-17555] (AD) [Entered: 12/30/2019 06:44 PM]
- 01/02/2020 [4](#)
2 pg, 103.01 KB MEDIATION ORDER FILED: This case is NOT SELECTED for inclusion in the Mediation Program. Counsel may contact circuit mediator to discuss services available through the court's mediation program, to request a settlement assessment conf, or to request a stay of the appeal for settlement purposes. Also, upon agreement of the parties, the brfing sch can be modified or vacated to facilitate settlement discussions. Csl are requested to send copies of this

		order to their clients. Info regarding the mediation program may be found at www.ca9.uscourts.gov/mediation . [11548895] (BLS) [Entered: 01/02/2020 11:20 AM]
01/03/2020	5	Added Attorney(s) Elizabeth Tang, Jennifer Reisch for party(s) Appellant Victim Rights Law Center Appellant Equal Rights Advocates, in case 19-17555. [11549957] (JBS) [Entered: 01/03/2020 10:25 AM]
01/06/2020	6	Filed (ECF) notice of appearance of Stephanie Robin Marcus (U.S. Department of Justice, Civil Division, Appellate Staff, Room 7539, 950 Pennsylvania Ave., NW, Washington, DC 20530) for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU. Substitution for Steven Andrew Myers for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU and Benjamin Thomas Takemoto for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU. Date of service: 01/06/2020. (Party was previously proceeding with counsel.) [11551170] [19-17555] (Marcus, Stephanie) [Entered: 01/06/2020 08:39 AM]
01/06/2020	7	Filed (ECF) notice of appearance of Marleigh Diane Dover (Appellate Staff, Civil Division, U.S. Dept. of Justice, 950 Pennsylvania Ave. NW Washington, DC 20530) for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU. Substitution for Benjamin Thomas Takemoto for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU and Steven Andrew Myers for Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and USEDU. Date of service: 01/06/2020. (Party was previously proceeding with counsel.) [11551208] [19-17555] (Dover, Marleigh) [Entered: 01/06/2020 08:59 AM]
01/06/2020	8	Attorneys Steven Andrew Myers, and Benjamin Thomas Takemoto in 19-17555 substituted by Attorneys Stephanie Robin Marcus and Marleigh Dover in 19-17555 [11551887] (RR) [Entered: 01/06/2020 01:12 PM]
03/04/2020	9	Filed (ECF) Streamlined request for extension of time to file Opening Brief by Appellants Equal Rights Advocates and Victim Rights Law Center. New requested due date is 04/29/2020. [11618033] [19-17555] (Jones, Karianne) [Entered: 03/04/2020 01:28 PM]
03/04/2020	10	Streamlined request [9] by Appellants Equal Rights Advocates and Victim Rights Law Center to extend time to file the brief is approved. Amended briefing schedule: Appellants Equal Rights

Advocates and Victim Rights Law Center opening brief due 04/29/2020. Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and U.S. Department of Education answering brief due 05/29/2020. The optional reply brief is due 21 days from the date of service of the answering brief. [11618546] (JN) [Entered: 03/04/2020 04:14 PM]

04/13/2020 [11](#)
2 pg, 74.77 KB

Filed (ECF) Appellants Equal Rights Advocates and Victim Rights Law Center Correspondence: COVID-19 Extension. Date of service: 04/13/2020 [11658583] [19-17555] (Thurston, Robin) [Entered: 04/13/2020 09:41 AM]

04/13/2020

Updated deadlines. Automatic 60 day extension Re: Notice Covid 19 (Docket Entry No. [11](#)). Appellants Equal Rights Advocates and Victim Rights Law Center opening brief due 06/29/2020. Appellees Elisabeth DeVos, Candice Jackson, Kenneth L. Marcus and U.S. Department of Education answering brief due 07/28/2020. The optional reply brief is due 21 days after service of the answering brief. [11659398] (EU) [Entered: 04/13/2020 02:51 PM]