

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

JUN 25 2003

NANCY MAWER WHITTINGTON, CLERK
U.S. DISTRICT COURT

_____)	
NIKITA PETTIES, <u>et al.</u> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 95-0148 (PLF)
)	
DISTRICT OF COLUMBIA, <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER

On January 28, 2003, the plaintiffs in this class action filed a Motion to Appoint a Receiver “to bring the defendants’ Transportation Division of the District of Columbia Public Schools (DCPS) into compliance with the Court’s orders in this case.” Plaintiffs’ Motion to Appoint a Receiver at 1. The parties filed extensive briefs on this motion, which included a surreply by defendants and later supplemental briefs by both parties. A hearing on the motion scheduled for June 11, 2003 was postponed at the request of the parties.

On June 25, 2003, Elise Baach, the Special Master in this matter, filed a Report and Recommendation of the Special Master for Entry of a Consent Order Appointing a Transportation Administrator (“Report”), which represented that the parties have agreed that members of the class will benefit if an independent transportation administrator is appointed to manage, supervise and assume responsibility for the transportation operations of DCPS. See Report at 1. Furthermore, the parties have agreed that David Gilmore and the firm of Gilmore Kean, LLC possess the requisite management qualifications and experience to assume the position of the transportation administrator for


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DCPS. See id. at 1-2. The Special Master submitted with the Report a Consent Order Appointing a Transportation Administrator, which represents that, in light of the agreement reached by the parties and the terms of the proposed Consent Order, plaintiffs are withdrawing their Motion to Appoint a Receiver.

Upon consideration of the foregoing and the proposed Consent Order Appointing a Transportation Administrator, and the Court this day having met with David Gilmore of Gilmore Kean, LLC, the Court has determined that the recommendation of the Special Master for entry of the Consent Order Appointing a Transportation Administrator pursuant to the agreement of the parties should be granted and that the pending Motion to Appoint a Receiver should be treated as withdrawn. Accordingly, the Court has this same day signed the proposed Consent Order appointing David Gilmore as the Transportation Administrator to manage, supervise and assume responsibility for the operations of DCPS's transportation services.

SO ORDERED.


PAUL L. FRIEDMAN
United States District Judge

DATE: 6/25/03