

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JUN 21 1995

KENNETH J. MURPHY, Clerk
COLUMBUS, OHIO

United States of America,

Plaintiff,

vs.

Case No. C2-95-506
JUDGE GRAHAM

The Steubenville City Board
of Education,

Defendant.

ORDER TO AMEND ORDER FOR ENTRY OF CONSENT DECREE

This matter is before the Court on the Joint Motion to Amend Order For Entry of Consent Decree.

Having considered the Joint Motion,

IT IS HEREBY ORDERED that the Order for Entry of Consent Decree entered by this Court on June 1, 1995, is hereby AMENDED by replacing paragraph numbered three (3) thereof with the following:

"3. Any person or organization seeking to challenge any provision of the Decree shall serve upon the Court and the parties a statement of objections postmarked within thirty (30) days of the issuance of the notice of fairness hearing described above."

JAMES L. GRAHAM
United States District Judge

DATE: June 20, 1995

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FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JUN 21 1995

KENNETH J. MURPHY, Clerk
COLUMBUS, OHIO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Civil Action C-2-95-506
v.)	
)	Judge Graham
THE STEUBENVILLE CITY BOARD)	
OF EDUCATION,)	Magistrate Judge Abel
)	
Defendant.)	
)	

**JOINT MOTION AND [PROPOSED]
ORDER TO AMEND ORDER FOR ENTRY OF CONSENT DECREE**

Plaintiff United States of America and Defendant the Steubenville City Board of Education respectfully move this Court to enter the following proposed Order to Amend the Order for Entry of Consent Decree, which the Court entered on June 1, 1995.

The Order for Entry of Consent Decree provides, "Any person or organization seeking to challenge any provision of the Decree shall serve upon the Court and the parties a statement of objections within thirty (30) days of the entry of this Order." Order at 2, ¶ 3. The proposed Notice of Fairness Hearing, Exhibit 2 to the Order, instructs noticees, "Your objection must be postmarked no later than thirty (30) days after the issuance of this notice." Id. Exh. 2, at 2.

In order to resolve this inconsistency, the parties move this Court to enter the following Order to Amend to the original Order. The proposed Order would resolve the inconsistency described above, and avoid any possible prejudice thereby caused to any potential objectors, by adopting the timetable for submit-

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ting written objections provided for by the Notice. The parties believe that such adoption would require objections to be filed, by approximately mid-July, sufficiently in advance of the fairness hearing, which the Court scheduled for August 3, 1995.

Counsel for Defendant has telephonically authorized counsel for the United States to execute this Joint Motion on behalf of counsel for Defendant.

Respectfully submitted,

For the Defendant:

Drew Campbell by David Chen, per tel. auth. 6/13/95
Drew H. Campbell
Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215-4291

For the Plaintiff:

David Y. Chen
William B. Fenton
David Y. Chen
U.S. Department of Justice
P.O. Box 65968
Washington, D.C. 20035-5968
(202) 307-5769

* * *

Having considered the foregoing Joint Motion,

IT IS THEREFORE ORDERED that the Order for Entry of Consent Decree entered by this Court on June 1, 1995, is hereby AMENDED by replacing paragraph numbered three (3) thereof with the following:

"3. Any person or organization seeking to challenge any provision of the Decree shall serve upon the Court and the parties a statement of objections postmarked within thirty (30) days of the issuance of the notice of fairness hearing described above."

The Honorable James L. Graham
United States District Judge

CERTIFICATE OF SERVICE


I hereby certify that a copy of the below-listed document

Joint Motion and [Proposed] Order to Amend Order for Entry
of Consent Decree

has been served in the indicated manner upon the following
counsel on June 13, 1995:

VIA FIRST CLASS MAIL

Drew H. Campbell
Bricker & Eckler
100 South Third Street
Columbus, Ohio 43215-4291



David Y. Chen

Drew H Campbell, Esq.
Bricker & Eckler - 2
100 S Third Street
Columbus, OH 43215-4291

Re: 2:95-cv-00506
