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12 SUPERIOR COURT OF THE STATE OF CALIFORNIA
13 FOR THE COUNTY OF LOS ANGELES
14

15 MARY ELLEN CRAWFORD, a Minor,)
By ELLEN CRAWFORD, her Guardian)
16 ad Litem, et al.,)
17)
Petitioners,)
18)
v.)
19)
BOARD OF EDUCATION OF THE CITY)
OF LOS ANGELES,)
20)
Respondent.)
21)

No. 822 854

RESPONDENT'S SUPPLEMENTAL
MEMORANDUM RE INTERVENTION

22
23 In the prior briefs filed on behalf of respondent on this
24 subject, respondent confined itself primarily to a discussion of
25 the general principles controlling intervention, including an
26 analysis of some of the deficiencies in the three applications for
27 intervention which were then on file (see respondent's brief dated
28 February 28, 1977).

1 Respondent now urges the court not to grant any inter-
2 vention. The proliferation of the intervention applications can
3 only lead to the principal problem respondent referred to origi-
4 nally: the manageability of this most important case.

5 There are nine lawyers making up the representation on
6 the petitioners' side and to allow the interventions presently
7 sought would increase greatly the number of counsel participating
8 in the case.

9 But beyond this logistical problem, none of the inter-
10 venors is needed for the prompt disposition of this case. This
11 is not a situation like Milliken v. Bradley where intervention
12 was granted to the school districts outside the Detroit metropolitan
13 area because their involvement in the federal district court's
14 plan was immediate and, without intervention, their views would
15 never be presented.

16 Our position with respect to each of the pending five
17 intervenors is as follows:

18 1. BUSTOP. This intervenor has not accepted the case
19 law of Crawford since it still seeks relief in the form of a
20 prohibition against the selection of students for reassignment on
21 the basis of race, color or ethnicity.

22 2. B.E.S.T. This intervenor seeks to come into the
23 case to support respondent's position and that intervention would
24 be only duplicative of respondent's own efforts.

25 3. Clark, et al. Although this intervenor was the
26 first to seek representation in the case on behalf of white
27 students, its position as expressed in its amended complaint in
28 intervention forwarded to the court with Mr. Garcin's letter of

1 March 4, 1977, retains the objectionable features of the earlier
2 complaint and has the same position as BUSTOP concerning reassign-
3 ment of students on the basis of race, color or ethnicity.

4 4. Diane Watson. As we have previously pointed out,
5 this intervenor has no standing to come into the case since she
6 cannot show any harm or interest which is not already adequately
7 represented by the petitioners. She stands exactly as any other
8 individual Board member and the fact that she may have a minority
9 view on the ultimate plan adopted by the Board is no basis for
10 intervention. Her express purpose is to bring before the court
11 the plan of the CACSI group. That is not a sufficient reason to
12 intervene and it is also irrelevant because the Board intends to
13 submit to the court along with its own plan the last plan approved
14 by the CACSI group. As far as being heard by this court as a
15 ground for intervention, it is unthinkable that the petitioners
16 will not call Miss Watson as a witness. But, to set to rest any
17 question on that subject, if the petitioners do not call this
18 intervenor as a witness, respondent will.

19 5. Dreebin, et al. This intervenor, the last of the
20 five, would appear to be calculated to offset the Clark so-called
21 white intervention with a different view. The position taken in
22 the papers of this intervenor make it clear that their interests
23 will be fully expressed by the petitioners and no further assistance
24 is needed by allowing this intervention.

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1 Respondent therefore respectfully requests the court
2 to deny all interventions so that the case can move forward
3 expeditiously.

4 Dated: March 10, 1977.

5 Respectfully submitted,

6 McCUTCHEN, BLACK, VERLEGER & SHEA
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11 By _____
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5 I declare under penalty of perjury that the foregoing is true
6 and correct.

7 Executed on April 4, 1977, at Los Angeles, California.
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