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FILED

APR 26 2002

CATHY A. GATTERSON, CLERK
U.S. COURT OF APPEALS

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PARENTS INVOLVED IN COMMUNITY SCHOOLS, a Washington nonprofit corporation,

Plaintiff-counter-defendant - Appellant,

v.

SEATTLE SCHOOL DISTRICT, NO. 1, a political subdivision of the State of Washington; **JOSEPH OLCHEFSKE**, in his official capacity as superintendent; **BARBARA SCHAAD-LAMPHERE**, in her official capacity as President of the Board of Directors of Seattle Public Schools; **DONALD NEILSON**, in his official capacity as Vice President of the Board of Directors of Seattle Public Schools; **STEVEN BROWN**; **JAN KUMASAKA**; **MICHAEL PRESTON**; **NANCY WALDMAN**, in their official capacities as members of the board of Directors,

Defendants-counter-claimants - Appellees.

No. 01-35450

D.C. No. CV-00-01205-BJR

ORDER GRANTING INJUNCTION

Filed April 26, 2002

Before: REAVLEY*, O'SCANNLAIN, and GRABER, Circuit Judges.

Appellant's motion for an injunction pending the filing and disposition of any petition for rehearing or rehearing en banc is GRANTED. The Appellees are

*The Honorable Thomas M. Reavley, Senior United States Circuit Judge for the Fifth Circuit, sitting by designation.

hereby enjoined from using the racial tiebreaker in making high school assignments pending further order of this court.

The motion for immediate issuance of the mandate is DENIED.