

THE SUPREME COURT OF WASHINGTON

CERTIFIED FROM THE UNITED STATES)
COURT OF APPEALS FOR THE NINTH)
CIRCUIT IN)

NO. 72712-1

ORDER DENYING MOTION FOR RECONSIDERATION

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.)

FILED
SUPREME COURT
STATE OF WASHINGTON
2003 SEP -2 P 4:10
BY C.J. MERRITT
CLERK

The Court having considered the Plaintiff-counter-defendant - Appellant's motion for reconsideration and a majority of the Court having concluded that it should be denied;

Now, therefore, it is hereby

ORDERED:

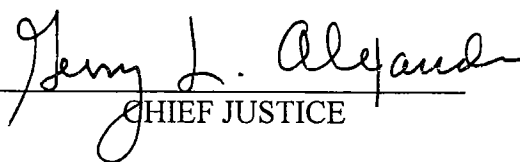
That the Plaintiff-counter-defendant - Appellant's motion for reconsideration is denied.

DATED at Olympia, Washington this 2nd day of September 2003.

445/61

NO. 72712-1
ORDER

For the Court



CHIEF JUSTICE

149 Wn.2d 660

Fail
X
Mark Green
CS5

THE SUPREME COURT OF WASHINGTON

CERTIFIED FROM THE UNITED STATES)
COURT OF APPEALS FOR THE NINTH)
CIRCUIT IN)

CERTIFICATE OF
FINALITY

PARENTS INVOLVED IN COMMUNITY)
SCHOOLS, a Washington nonprofit)
corporation,)

NO. 72712-1 COPY RECEIVED
TIME _____ BY _____
Federal Court
No. 01-35450
SEP 04 2003

Plaintiff-counter-defendant - Appellant,)

BENNETT BIGELOW
& LEEDOM

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,)

FILED
SUPREME COURT
STATE OF WASHINGTON
2003 SEP -3 P 1:35
BY C.J. MERRITT
CLERK

Defendants-counter-claimants - Appellees.)

The State of Washington To: United States Court of Appeals – Ninth Circuit.

THIS IS TO CERTIFY that the attached opinion of the Supreme Court of the State of
Washington was filed on June 26, 2003, and became final on September 2, 2003. Order Denying
Motion for Reconsideration was entered hereon September 2, 2003. Copy attached.

The opinion is in answer to the following question:

By using a racial tiebreaker to determine high school assignments, does
Seattle School District Number 1 “discriminate against, or grant preferential
treatment to, any individual or group on the basis of race, . . . color, ethnicity, or
national origin in the operation of . . . public education” in violation of Initiative 200
(I-200), codified at Washington Revised Code § 49.60.400?

116/116

Pursuant to Rules of Appellate Procedure 16.16(f) and 14.4, costs are taxed as follows:

Costs in the amount of \$190.67 are divided equally between the parties, pursuant to RAP 16.16.



IN TESTIMONY WHEREOF, I have hereunto
set my hand and affixed the seal of said Court
at Olympia, this 31st day of September 2003.

A handwritten signature in black ink, appearing to read "C. J. Merritt", is written over a horizontal line.

C. J. MERRITT
Clerk of the Supreme Court, State of
Washington

- cc: Mr. Michael Madden
Ms. Carol Janes
Mr. Mark Green
Mr. Daniel Ritter
Mr. Harry Korrell
Hon. Diarmuid F.O. Scannlain, Judge
U.S. Circuit Court
Hon. Cathy Catterson, Clerk
Mr. Paul Lawrence
Mr. Russell Brooks
Ms. Sharon Browne
Mr. Jeffrey Robinson
Ms. Sandra Widlan