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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

Curtis Acosta, et al.,  
Plaintiffs,

vs.

John Huppenthal, et al.,  
Defendants.

No. CV 10-623-TUC-AWT

**ORDER**

Having considered the Expedited Stipulated Motion Requesting Order Designating Defendants Arizona State Board of Education and its Individual Members as Nominal Parties (Doc. 47),

**IT IS HEREBY ORDERED** that the Stipulated Motion (Doc. 47) is **GRANTED**. Defendants Arizona State Board of Education, Vicki Balantine, Jacob Moore, John Haeger, Jaime Molera, Amy Hamilton, Eileen Klein, Gregory Miller, James Horton, Dianne Ortiz-Parsons and Thomas Tyree (“the Board Defendants”) shall be treated as nominal parties and therefore are not required to file responsive or affirmative pleadings in this matter.

**IT IS FURTHER ORDERED** that the Board Defendants will abide by any court order issued in this matter.

**IT IS FURTHER ORDERED** that the Board Defendants waive their right to formally appear at all future oral arguments, conferences, hearings and trials, without risk of

1 default.

2 **IT IS FURTHER ORDERED** that the Board Defendants are exempt from liability  
3 for attorneys fees and costs in this matter, provided that the Board Defendants remain  
4 nominal parties in this matter.

5 **IT IS FURTHER ORDERED** that the Board Defendants shall continue to receive  
6 copies of all pleadings, motions, notices, minute entries and orders in this matter.

7 DATED this 6<sup>th</sup> day of June, 2011.

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A. Wallace Tashima  
United States Circuit Judge  
Sitting by Designation

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