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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 ELIZABETH MIRABELLI, an
12 individual, on behalf of herself and all
13 others similarly situated; LORI ANN
14 WEST, an individual, on behalf of herself
and all others similarly situated; et al.,

15 Plaintiffs,

16 v.

17 MARK OLSON, in his official capacity
18 as President of the EUSD Board of
Education, et al.,

19 Defendants.
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Case No.: 3:23-cv-0768-BEN-VET

**ORDER TO SHOW CAUSE WHY
STATE DEFENDANTS SHOULD
NOT BE SANCTIONED FOR
MISLEADING THE COURT
REGARDING MOOTNESS
ARGUMENTS**

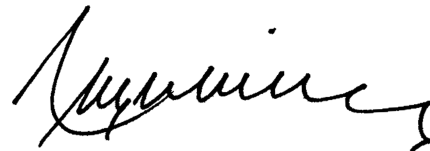
Judge: Hon. Roger T. Benitez
Courtroom: 5A

ORDER TO SHOW CAUSE

It is hereby ordered that the State Defendants and their counsel are ordered to appear and show cause before me at 10:30 a.m. on November 17, 2025, in the Courtroom of the Honorable Roger T. Benitez, United States Judge for the Southern District of California, located at 333 W. Broadway, Courtroom 5A, San Diego, California 92101, as to why the Court should not impose sanctions for misleading the Court regarding the California Department of Education's ("CDE") purported withdrawal of Parental Exclusion Policies. State Defendants asserted in their motions to dismiss and in opposition to Plaintiffs' motion for summary judgment that Plaintiffs' claims were moot because CDE had "withdrawn and conclusively replaced Plaintiffs' only basis for suit against the State Education Defendants" by removing and replacing the FAQ page containing the challenged policies. See ECF No. 256, p.17; ECF No. 256-6, p. 17:14-24. However, evidence demonstrates that the CDE may have merely moved the challenged content of the FAQ page to a new, required "PRISM" training module.

IT IS SO ORDERED.

DATED: November 7, 2025



HON. ROGER T. BENITEZ
United States District Judge