

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, ET AL.,

PLAINTIFFS,

VERSUS

TANGIPAHOA PARISH SCHOOL BOARD, ET AL.,

CIVIL ACTION  
NO. 65-15556

JUDGE LEMELLE  
MAGISTRATE SHUSHAN

**PLAINTIFFS' MOTION FOR ISSUANCE OF WRITS**  
**PURSUANT TO THE ALL WRITS ACT**

NOW INTO COURT, through undersigned counsel, come the plaintiffs, who move the court, pursuant to authority conferred upon it under the All Writs Act, found at 28 USC § 1651, to issue writs joining John White, Louisiana Superintendent of Education, the Louisiana Department of Education, and the Louisiana Board of Elementary and Secondary Education and ordering them to appear before the court for the limited purpose of showing cause why La. R.S. 17:10.5, 17:54(B)(1)(b)(i)(aa), 17:54(B)(1)(b)(i)(dd), 17:443(D), 17:81(A)(2), 17:81(A)(3), 17:81(A)(4)(a), 17:81(A)(4)(b), 17:81(A)(6), 17:81.4(A), 17:81.4(B), 17:414.1, 17:4002.1 through 17:4002.6, inclusive, 17:4002.1 through

17:4002.6, inclusive, and 17:4011 through 17:4025, inclusive, should not be enjoined until such time as Defendant Tangipahoa Parish School Board is found to be in full compliance with this court's Order in Record Document No. 876 (the "Order") and declared unitary in the areas of employment of black teachers, student assignments, and facilities for the following reasons:

**I.**

Plaintiffs respectfully submit that the following provisions of Act 1 of the 2012 Regular Session of the Louisiana Legislature (attached as Exhibit "A") are inconsistent with, and/or are contrary to, the Order of this court, will frustrate implementation of said Order, and, if not enjoined, will impair or impede defendant's ability to implement such Orders:

**A.**

The provisions found in Act 1 and codified at La. R.S. 17:54(B)(1)(b)(i)(aa), subpart (5) provides that contracts with local superintendents contain a provision requiring local public school systems "that receive any variation of a school performance letter grade of "C", "D", or "F", such contract shall establish performance targets at the school and district levels as follows: . . . (5) the percentage of teachers with an "effective" or highly effective" performance rating."

The provision found in Act 1 and codified at La. R.S.

17:54(B)(1)(b)(i)(dd) provides as follows.:

Any employment contract executed, negotiated, or renegotiated after July 1, 2012, between a local school board and a superintendent that does not meet the requirements established in this Subsection shall be null and void.

The provision found in Act 1 and codified at La. R.S.

17:443(D) provides as follows:

For purposes of this Section, the results of a teacher's evaluation performance pursuant to R. S. 17:3881 through 3905 evaluating the teacher's performance as "ineffective" shall constitute sufficient proof of poor performance, incompetence, or willful neglect of duty and no additional documentation shall be required to substantiate such charges.

Plaintiffs submit that defendant it is under court Order (R. Doc. No. 876, Paragraph 16 and Attachment "F") providing in pertinent part as follows:

It is the understanding between the parties that the foregoing hiring procedures are a remedy in accordance with prior court orders concerning hiring, and these procedures shall terminate at such time as the percentage of black teachers meets the percentage of black students in the school system as contained in Attachment "C" of this Order. . . .

Setting the percentage of teachers with an "effective" or "highly effective" performance rating, requiring that the superintendent's contract contain the requirement respecting the setting of the percentage of "effective" and "highly effective"

teachers, and providing for the termination of teachers receiving an "ineffective" performance rating `restores the kind of subjective factors that led to rhe remedial orders of the court and provides an opportunity to undermine goals of restoring the pressece of black teachers whose numbers were drastically reduced by subjective racially discriminatory employment procedures. Accordingly, plaintiffs respectfully submit that the foregoing provisions should be enjoined until such time as the school system achieves unitary status in the area of hiring of black teachers.

**B**

The provision in Act 1 codified in part at La. R.S. 17:81(A) (2) provide as follows:

The local school superintendent shall have authority to employ teachers by the month or by the year, and to fix their salaries[.]

The provisions of Act 1 codified at La. R.S. 17:81(A) (3) provide as follows:

Each local public school board shall delegate authority for the hiring and placement of all school personnel, including those for which state certification is required to the local school superintendent. It shall be the responsibility of the superintendent to ensure that all persons have proper certification, as applicable, and are qualified for the position.

The provision in Act 1 codified at La. R.S. 17:81(A) (4) (a) provides that local school boards delegate to principals "all decisions regarding the hiring or placement of any teacher" at the school of the principal's employment "subject to the approval of the local school superintendent."

The provision in Act 1 codified at La. R.S. 17:81(A) (4) (b) provides that local school boards "[c]onsult with teachers prior to making any decisions regarding the hiring or placement of a principal at the school in which said teachers are employed."

These provisions conflict with the court's Order in Record Document No. 876 at Paragraph 16 which require school board concurrence with recommendations by the superintendent for certified personnel at the administrative and certified teacher levels. These provisions also conflict with the hiring procedures contained in Attachment "F" to the court's Order in Record Document No. 876. Accordingly, plaintiffs respectfully submit that the foregoing provisions must be enjoined until such time as the school system achieves unitary status in the areas of hiring black teachers.

**C.**

The provision in Act 1 codified at La. R.S. 17:81(A) (6) provides in part as follows:

The superintendent and the school principal shall make all employment related decisions based upon performance, effectiveness, and the qualifications as applicable to each specific position. Effectiveness as determined pursuant to R.S. 17:3881 through 3905, shall be used as the primary criterion for making personnel decisions[.]

This provision also conflicts with the court's Order contained in Attachment "F" to the court's Order in Record Document No. 876. Accordingly, plaintiffs respectfully submit the foregoing provision must be enjoined until such time as defendant achieves unitary status in the area of teacher hiring.

**D**

The provision in Act 1 codified at La. R.S. 17:81.4(A) provides as follows:

Not later than September 1, 2012, each local public school board shall develop and adopt rules and policies that delegate reduction in force decisions to the superintendent which he shall use in dismissing teachers and other employees at any time a reduction in force is instituted. Such rules and policies shall be made available for inspection by teachers, other school employees, and the general public within ten days after final adoption.

The provision in Act 1 codified at La. R.S. 81.4(B) provides as follows:

All reduction in force policies adopted for use in dismissing teachers and administrators shall be based solely upon demand, performance, and effectiveness, as

determined by the performance evaluation program as provided in R.S. 17:3881 through 3905. Any reduction in force by a superintendent shall be instituted by dismissing the least effective teacher within each targeted subject area or area of certification first, and then proceeding by effectiveness rating until the reduction in force has been accomplished.

These provisions may serve to impede the school system's hiring obligation with respect to the hiring goal set forth in Attachment "F" to the court's Order in Record Document No. 876 that requires the school system to seek to bring the percentage of black teachers to a level meeting the percentage of black students enrolled in the school system as set forth in Attachment "C" to said Order. The criteria for a reduction in staff is subject to court review in the desegregation process. Accordingly, plaintiffs respectfully submit that the foregoing provisions must be enjoined until such time as defendant achieves unitary status in the area of hiring black teachers.

**E**

The provision in Act 1 codified at La. R.S. 17:414.1 provides in pertinent part that "[t]he principal for each public elementary and secondary school shall be appointed by and serve under the direction of the local superintendent of schools[.]"

This provision is inconsistent with the court's Order in Record Document No. 866 which establishes procedures for hiring

school site administrative personnel. Accordingly plaintiffs respectfully submit that the foregoing provision must be enjoined until such time as defendant achieves unitary status in the area of administrative and supervisory personnel.

**II**

Plaintiffs have an interest in seeing to it that the defendants fully comply with the court's Order and comes into full compliance with the Constitution of the United States. In order for defendants to fully comply with the court's Order and come into full compliance with the Constitution in the areas of student assignments and facilities, defendant must have the full financial resources provided for in the state's Minimum Foundation Program without portions of those funds being diverted to fund the provisions of state laws found at La. R.S. 17:4002.1 through 17:4002.6, inclusive, and 17:4011 through 17:4025, inclusive which provide opportunity for students to avoid desegregated schools.

**III.**

Plaintiffs have an interest in seeing that the Tangipahoa Parish School Board is solely and exclusively obligated to implement the court's Order and, in order to achieve this end, it is essential that defendants retain control over each school in



the school system under the desegregation orders of the federal court and that none of the school system's schools be removed from its control, supervision, and jurisdiction and transferred to the jurisdiction of the state's Recovery School District as provided for in La. R.S. 17:10.5.

**IV.**

The foregoing mentioned state laws were enacted by Act 2 of the 2012 Regular Session of the Louisiana Legislature, a copy of which is attached as Exhibit "A".

6.

The defendants have claimed a financial exigency and has alerted the court that the most recent tax failure leaves the school system without resources to fully fund the requirements of the court's desegregation orders. The siphoning of resources by state laws will contribute to deficits that make implementation of the school desegregation plan virtually impossible.

**V.**

Plaintiffs further show defendant has previously petitioned the court seeking and receiving a temporary abatement of its obligations under the Order (Attachment "I" to R. Doc. No. 876) to fully fund and implement the Comprehensive Facilities Assessment and without full funding through the Minimum

Foundation Program defendant will be incapable of funding the student assignment plan and the Comprehensive Facilities Assessment in the Order.

**VI**

Plaintiffs further show that if the state laws found at La. R.S. 17:4002.1 through 17:4002.6, inclusive, and 17:4011 through 4025, inclusive, are not enjoined, coupled with the projected General Fund deficit for next school year, the school system will be forced to conduct a reduction in force which may impair its ability to provide equal education opportunities for black children and impair the school system's ability to comply with the teacher hiring requirement for the employment of black teachers as found in Attachment "F" of the court's Order.

**VII**

Plaintiffs further show that the so-called scholarship program authorized at La. R.S. 17:4011, et seq., impairs defendant's ability to desegregate the school system by permitting "white flight" that otherwise would not occur in the absence of state funding for otherwise public school students to enroll in non-public schools on the state funded scholarships.

VIII

For all the foregoing reasons, it is necessary that an injunction be issued herein enjoining the enforcement of La. R.S. 17:10.5, 17:54(B)(1)(b)(i)(aa)(5), 17:54(B)(1)(b)(i)(dd), 17(443(D), 17:81(A)(2), 17:81(A)(3), 17:81(A)(4)(a), 17:81(A)(4)(b), 17:81(A)(6), 17:81.4(A), 17:81.4(B), 17:4002.1 through 17:4002.6, inclusive, and 17:4011 through 17:4025, inclusive, and 17:4011 through 17:4025, inclusive.

WHEREFORE, Plaintiffs pray writs be issued by the court adding John White, Louisiana Superintendent of Education, the Louisiana Department of Education, and the Louisiana Board of Elementary and Secondary Education as parties for the limited purpose of showing case why the state statutes listed in Paragraph 10 of this motion should not be enjoined until such time as Defendant is in full compliance with the court's Orders and has been declared unitary and judicial supervision relinquished in the areas of hiring black teachers and administrators, student assignments, and facilities.

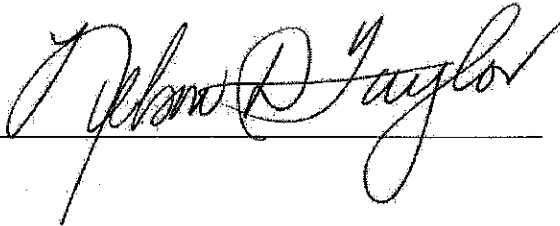
RESPECTFULLY SUBMITTED  
BY ATTORNEY FOR PLAINTIFFS



NELSON DAN TAYLOR, SR. (12684)  
J. K. Haynes Legal Defense Fund  
1822 N. Acadian Thruway West  
Baton Rouge, LA 70802  
Phone: 225-356-5252

CERTIFICATE OF SERVICE

I hereby certify that on this day, October 26, 2012, I filed the foregoing pleading electronically using the court's CM/ECF filing system which gave electronic notice to all counsel of record.



A handwritten signature in cursive script, reading "Nelson Taylor", is written over a horizontal line.

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, ET AL.,

PLAINTIFF,

VERSUS

TANGIPAHOA PARISH SCHOOL BOARD, ET AL.

CIVIL ACTION  
NO. 65-15556

JUDGE LEMELLE  
MAGISTRATE SHUSHAN

**MEMORANDUM IN SUPPORT OF ALL WRITS ACT MOTION**

The All Writs Act (28 USC § 1651(a)) provides that: "The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law." This provision has been construed to "extend[,] under appropriate circumstances, to person who, though not parties to the original action or engaged in wrongdoing, are in a position to frustrate the implementation of a court order or the proper administration of justice, and encompasses even those who have not taken any affirmative action to hinder justice." (citations omitted.) United States v. New York Telephone Company, 434 U.S. 159, 174, 98 S.Ct. 364, 54 L.Ed.2d 376. Accordingly, citing New York Telephone Company, it has been observed that "[t]he power to issue writs under the Act is not circumscribed by the identity of the parties immediately before

the court; at the court's discretion, writs may be issued to third parties who are in a position to frustrate a court's administration of its jurisdiction." Burr & Forman v. Blair, 470 F.3d 1019, 1026-27 (11 Cir. 2006). Under the All Writs Act, injunctions may be issued to protect and to effectuate a court's orders. Toledo Scale Co. v. Computing Transportation Co., 261 U.S. 399, 426, 43 S.Ct. 458, 67 L.Ed. 719; Baker v. Gotz, 415 F. Supp. 1243, 1247 (D.C. Del. 1976), affirmed, 546 F.2d 415 (4th Cir 1976).

A.

**ACT 1 OF THE 2012 REGULAR SESSION OF THE LOUISIANA LEGISLATURE  
AND COURT ORDER 866 AND ATTACHMENT "F" TO COURT ORDER 876**

The Orders of the Court in R. Doc. Nos. 866 and Attachment "F" to R. Doc. No. 876 address remedial procedures for the hiring of administrative and supervisory personnel and teachers. The purpose of these Orders is to increase the number of black administrative and supervisory personnel in the employ of the school system and the percentage of black teachers. Under these Orders, while the superintendent of the school system plays a crucial role, he does not have unilateral authority to make hiring decisions. Preliminary procedures and school board approval remain requisite requirements for actual employment. See Orders in R. Doc. No. 866 and Attachment "F" to R. Doc. No. 876; see also, Paragraphs 15 and 16 of the Order in R. Doc. No. 876. The provisions of La. R. S. 17:54(B)(1)(b)(i)(aa)(5) and 17:54(B)(1)(b)(i)(dd) are contrary to the express orders and procedures of this court as cited above. These contrary provisions of state law should therefore be enjoined.

La. R.S. 17:443(D) provides that a teacher evaluated as "ineffective" provides sufficient grounds for proof of "poor performance, incompetence, or willful neglect of duty" to substantiate such charges and the termination of the teacher. This provision clearly is at odds with the remedial purposes in Attachment "F" to the court's Order in R. Doc. No. 876. Attachment "F" sets a goal of bringing the percentage of black teachers even with the percentage of black students as listed in Attachment "C" to the Order. The state law opens the door wide for implementation of the rampant discriminatory, subjective evaluations that led to the virtual elimination of black teachers and staff from forty percent to the current less than eighteen percent. The Tangipahoa Parish school system has a prior history of racial discrimination and its decisions concerning faculty are subject to ongoing review of this court. This court has not yet released hiring and firing decisions to the unfettered discretion of school authorities. These state law provisions which ignore orders concerning court review and other rights afforded black teachers opens the door to restoration of the unfair, standard less subjectivity that will further reduce the percentage of black teachers, instead of increasing to meet the remedial directives of Attachment "F". The deeming of teachers "ineffective" based solely upon test scores is arbitrary and capricious, raises due process questions, and ignores that certain unacceptable performances by students may result from circumstances over which the teacher has little or no control, such as family situations, changing schools during a school year, or other such considerations that are not contemplated in Act 1. Accordingly, this provision should be enjoined or, alternatively,

limited by orders of the court so that terminations will continue to be subject to court review and the rights of black teachers established in the orders of this court—and making clear that the orders of this court designed to remedy the reduction in presence of black teachers and administrators remain in full force and effect.

Again, the provisions in La. R.S. 17:81(A)(2) and 17:81(A)(3) vest exclusive authority for the hiring of teachers in the local superintendent. These provisions are contrary to the hiring procedures in Attachment "F" and must be enjoined.

The provisions of La. R.S. 17:81(A)(4)(a) and 17:81(A)(4)(b) providing that principals be delegated "all decisions regarding the hiring and placement of any teacher" and that teachers be consulted regarding the hiring and placement of a principal are contrary to the Orders of the court in R. Doc. Nos. 876, Attachment "F", and 866.

La. R.S. 17:81(A)(6), requires that employment related decisions be based upon performance, effectiveness, and the qualifications applicable to a teaching position. This provision, with undefinable subjective factors, is contrary to the hiring procedures in Attachment "F" and should be enjoined.

La. R.S. 17:81.4(A) and (B) address the development and adoption of rules and policies for reductions in force and dismissal of teachers, and establish exclusive criteria dismissal of administrators and teachers which do not address the retention of black administrators and teachers. As such, these provisions are clearly inconsistent and contrary with the remedial nature of the Orders in R. Doc. No. 866 and Attachment "F" to R. Doc. No. 876. The Tangipahoa Parish School System has approved a



reduction in force policy in response to this state law provision which eliminates consideration of racially discriminatory policies and practices for which this school system remains under federal court supervision.

La. R.S. 17:414.1 provides in pertinent part that "[t]he principal of each public elementary and secondary school shall be appointed by and serve under the direction of the local superintendent of schools[.]" This provision also is inconsistent with the court's Order @. Doc. No. 866) which establishes procedures for hiring school site administrative personnel. According, it, too, should be enjoined.

**B.**

**ACT 2 OF THE 2012 REGULAR SESSION**  
**OF THE LOUISIANA LEGISLATURE**

La. R.S. 17:4002.1 through 17:4002.6 provide for "course providers" and the diversion of Minimum Foundation Program (MFP) to such course providers. A course provider is defined at Section 4002.1 as an entity offering individual courses "in person or online, including but not limited to online or virtual education providers, post-secondary education institutions, including any postsecondary institution under the management of the Board of Supervisors of Community and Technical Colleges, and corporations that offer vocational or technical course work in their field, and have been authorized to provide such courses by the state board." "Eligible student" is defined in Section 4002.2 as public school students enrolled in public schools that have received a letter grade of "C", "D", or "F". An "eligible

participating student" is defined Section 4002.3 as students enrolled in a public school with a letter grade rating of "A" or "B", non-public school students attending an approved or probationally approved school by the Louisiana Department of Education, and home study students in an approved home study program.

Section 4002.6 addresses compensating course providers. It is applicable to any student enrolled in an education environment as provided for in Section 4002.3 and the funding is derived from MFP funding that otherwise would be available to a local public school system. The adverse impact of the course provider provisions is indeterminable but clearly adverse to the school system in this lawsuit. Given the currently outstanding obligations of the school board to construct three new elementary schools as an essential element of its student assignment plan and the need to shoulder after this school year the costs of maintaining magnet programs, another essential component of the student assignment plan, it is plainly unforeseeable that allowing unlimited participation in course provider classes funded through MFP funding will leave the school board in a financial position to implement Orders of the court addressing student assignments and the eventual need to fully implement the Comprehensive Facilities Assessment in Attachment "I" to the Order in R. Doc. No. 876. Furthermore, the scheme is another tactic in allowing students to escape school systems under desegregation orders. Accordingly, the course provider provisions in La. R.S. 17:4002.1 through 17:4002.6 should be enjoined in their entirety.

La. R.S. 17:4011 through 17:4025, inclusive, provide for the so-called scholarship or voucher program. It seeks in Section 4016 to divert MFP funding, plus an amount off-set against MFP funding representing the local school district's local contribution to the MFP, to non-public and public schools receiving voucher students. Again, the ultimate impact on the school system in this lawsuit cannot be determined because it is not knowable at this time as to how many non-public and public schools will be authorized to receive voucher students and how many seats in such schools will be authorized over time to accept them or how many new non-private schools will spring into existence or how many existing non-public schools will seek to expand their capacities.

In short, such a drain on MFP funding is intolerable and if permitted to be implemented henceforth, will impair the school system's ability to implement the Order of this court in areas of student assignments and facilities. Moreover, it also represents a state-funded vehicle for white flight and the resulting inability of the school system to desegregate. Accordingly, La. R.S. 17:4011 through 17:4025, inclusive, must be enjoined in their entirety if this court's Order is not to be frustrated. The school system is in some cases being forced to either obey the state law and violate the Orders of this court or obey the Orders of this Court and be in violation of state law.

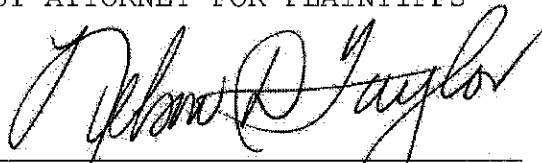
The State of Louisiana is not an innocent bystander regarding issues of racial segregation in public schools. The effort to manipulate funds and to escape desegregation is not new. Plaintiffs urge the court to scrutinize these new

provisions of state law and enjoin implementation where said laws impede or interfere with the desegregation orders of this court.

CONCLUSION

For all the foregoing reasons and those set out in the concurrently filed motion seeking issuance of writs under the All Writs Act, writs must be issued demanding the appearance of John White, Louisiana Superintendent of Education, the Louisiana Department of Education, and the Louisiana Board of Elementary and Secondary Education herein and demanding that they show cause after due proceedings as to why a preliminary injunction should not be entered herein enjoining the provisions of state law set out in the prayer to the said motion.

RESPECTFULLY SUBMITTED  
BY ATTORNEY FOR PLAINTIFFS



NELSON DAN TAYLOR, SR. (12684)  
J. K. Haynes Legal Defense Fund  
1822 N. Acadian Thruway West  
Baton Rouge, LA 70802  
Phone: 225-356-5252

CERTIFICATE OF SERVICE

I hereby certify that on this day, October 26, 2012, I filed the foregoing pleading electronically using the court's CM/ECF filing system which gave electronic notice to all counsel of record.



UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, et al.

CIVIL ACTION

VERSUS

NO. 65-15556

TANGIPAHOA PARISH SCHOOL BOARD, et al.

SECTION "B"

ORDER

Considering Plaintiffs' Motion for Issuance of Writs

Pursuant to the All Writs Act, and for the reasons set forth in  
Rec. Doc. No. 1023,

IT IS ORDERED that writs be issued herein commanding the  
appearance of John White, Louisiana Superintendent of Education,  
the Louisiana Department of Education, and the Louisiana Board of  
Elementary and Secondary Education to appear herein on Monday,  
November 26, 2012 at 9:30 a.m. at the Russell B. Long  
Federal Building on 777 Florida Street, Baton Rouge, Louisiana,  
to show cause, if any they can, as to why a preliminary  
injunction should not be entered herein restraining, enjoining,  
and prohibiting further implementation of La. R.S. 17: 10.5,  
17:10.5, 17:54(B) (1) (b) (i) (aa) (5), 17:54(B) (1) (b) (i) (dd),  
17(443(D), 17:81(A) (2), 17:81(A) (3), 17:81(A) (4) (a),  
17:81(A) (4) (b), 17:81(A) (6), 17:81.4(A), 17:81.4(B), 17:4002.1  
through 17:4002.6, inclusive, and 17:4011 through 17:4025,  
inclusive, including all subsequent allocation payments

authorized under La. R.S. 17:4011, et seq., to non-public schools, until such time as this court shall have entered judgment under its Order (R. Doc. No.876) declaring the Tangipahoa Parish School System unitary in the areas of student assignments and facilities.

IT IS FURTHER ORDERED that the United States Marshall effect service upon the person of John White, Louisiana Superintendent of Education, the Louisiana Department of Education, through John White, and the Louisiana Board of Elementary and Secondary Education, through its President, Penny Dsatugue.

New Orleans, Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 2012.

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UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

JOYCE MARIE MOORE, ET AL.,

PLAINTIFF,

VERSUS

TANGIPAHOA PARISH SCHOOL BOARD, ET AL.

CIVIL ACTION  
NO. 65-15556

JUDGE LEMELLE  
MAGISTRATE SHUSHAN

WRIT OF SUMMONS TO APPEAR AND SHOW CAUSE

TO: John White. Louisiana Department of Education, and  
Louisiana Board of Elementary and Secondary Education  
through John White, Louisiana Superintendent of Education  
1201 North Third Street  
Baton Rouge, LA

GREETINGS:

You, John White, Louisiana Superintendent of Education,  
the Louisiana Department of Education, the Louisiana Department  
of Education, and the Louisiana Board of Elementary and Secondary  
Education are hereby ordered to appear herein on Monday, November  
26, 2012 at 9:30 a.m. at the Russell B. Long Federal Building on  
777 Florida Street, Baton Rouge, Louisiana, to show cause, if any  
you can, as to why a preliminary injunction should not be entered  
in the above entitled and numbered case restraining, enjoining,

and prohibiting you, John White, Louisiana Superintendent of Education, the Louisiana Department of Education and the Louisiana Board of Elementary and Secondary Education from further implementation of La. R.S. 17:10.5, 17:54(B)(1)(b)(i)(aa), 17:54(B)(1)(b)(i)(dd), 17:443(D), 17:81(A)(2), 17:81(A)(3), 17:81(A)(4)(a), 17:81(A)(4)(b), 17:81(A)(6), 17:81.4(A), 17:81.4(B), 17:414.1, 17:4002.1 through 17:4002.6, inclusive, 17:4002.1 through 17:4002.6, inclusive, and 17:4011 through 17:4025, inclusive, until such time as Defendant Tangipahoa Parish School Board is found to be in full compliance with the school desegregation orders of the United States District Court for the Eastern District of Louisiana and declared unitary in the areas of employment of black teachers and administrators, student assignments, and facilities.

New Orleans, Louisiana, this \_\_\_\_ day of \_\_\_\_\_, 2012.

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DEPUTY CLERK OF COURT  
UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA