

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

MAR 1 1995

Clerk, U. S. District Court
District of Columbia

Nikita Petties, et al.,)
Plaintiffs,)
v.)
The District of Columbia, et al.,)
Defendants.)

C.A. No. 95-CV-00148

ORDER OF CLASS CERTIFICATION

This matter having come before the Court on Plaintiffs' Motion for Class Certification, the Court finds as follows:

1. That plaintiffs Nikita Petties, Judy Martin, Susan Zelaya, Elvamarie Zelaya, Andrew Falk, Ann and Gary Falk, Camille Farrow, Tyrone and Shirley Farrow, Benjamin Javits, Joshua and Sabina Javits, Vanessa Steck, and Bob and Sarah Steck have claims typical of the claims of the class, do not have interests antagonistic to those of the class, and will fairly and adequately represent the members of the class;

2. That defendants are alleged to have acted or refused to act on grounds generally applicable to the class, ther by making appropriate final injunctive or corresponding declaratory relief with respect to the class as a whole; and

3. That the prerequisites for certification of a class pursuant to Fed. R. Civ. P. 23(a) and (b) (2) have been met.

(N)

Therefore, IT IS HEREBY ORDERED that:

Plaintiffs' motion be, and the same hereby is, GRANTED;

and further

That plaintiff class defined as:

all students currently placed in private special education schools or receiving special education and/or related services from a private third party provider, all students placed in public schools who currently are receiving related services from private providers, and all students who have been determined by an administrative decision or by agreement with the DCPS to be eligible to receive services from private providers (including private placements)

is certified in this action and the plaintiffs identified at ¶ 1, above are certified as the representatives of the class.



UNITED STATES DISTRICT JUDGE

DATE: 3/17/95