

1 Timothy Chandler, CA Bar No. 234325
 ALLIANCE DEFENSE FUND
 2 101 Parkshore Drive, Suite 100
 Folsom, CA 95630
 3 Tele: (916) 932-2850; Fax: (916) 932-2951
 tchandler@telladf.org

4 David A. Cortman, GA Bar No.188810*
 5 Joshua B. Bolinger, OH Bar No. 0079594*
 ALLIANCE DEFENSE FUND
 6 1000 Hurricane Shoals Road, NE
 Building D, Suite 600
 7 Lawrenceville, GA 30043
 Tele: (770) 339-0774; Fax: (770) 339-6744
 8 dcortman@telladf.org
 jbolinger@telladf.org

9 Benjamin W. Bull, AZ Bar No. 009940
 10 Jeremy D. Tedesco, AZ Bar No. 0234847*
 ALLIANCE DEFENSE FUND
 11 15100 N. 90th Street
 Scottsdale, AZ 85260
 12 Tele: (480) 388-8051; Fax: (480) 444-0028
 bbull@telladf.org
 13 jtedesco@telladf.org

14 *Admitted *pro hac vice*

15 Attorneys for Plaintiff

16 **UNITED STATES DISTRICT COURT**
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18 **SAN JOSE DIVISION**

19	P.A., a minor by and through her next friend, N.A.)	CASE NO. 05:08-cv-00242-PVT
20	Plaintiff,)	
21	v.)	Magistrate Judge Patricia V. Trumbull
22	DIANE GORDON, MATTHEW DEAN, MARGIE MITCHELL, PAM PARKER, and)	PLAINTIFF'S NOTICE OF
23	ROYCE PETERSON, all individually and in)	VOLUNTARY DISMISSAL
24	their official capacities as Members of the)	
25	Campbell Union High School District Board)	
26	of Trustees; RHONDA FARBER, in her)	
27	individual capacity and in her official capacity)	
28	as Superintendent of the Campbell Union High)	
	School District; and OWEN HEGE, in his)	
	individual capacity and in his official capacity)	
	as Principal of Westmont High School,)	
	Defendants.)	

1 Comes now the Plaintiff, P.A., by and through counsel and, pursuant to Federal Rule of Civil
2 Procedure 41(a)(1)(A)(i), files this voluntary dismissal, stating as follows:

3 1. On January 14, 2008, Plaintiff filed a Complaint in this case challenging Defendants'
4 denial of equal access to her student Live Action Club at Westmont High School ("WHS").

5 2. In her Complaint, Plaintiff alleged that the Defendants denied to her rights, benefits,
6 and privileges equal to those received by other members of officially recognized clubs at WHS.

7 3. Along with her Complaint, Plaintiff filed a Notice of, and Motion for, Preliminary
8 Injunction, requesting an order prohibiting the Defendants from discriminating against her and other
9 Live Action Club members based on the religious and political content and viewpoint of their
10 intended speech.

11 4. Plaintiff also asked that this Court order Defendants to provide her with equal access
12 to all of the rights, benefits, and privileges given to other members of officially recognized clubs at
13 MUHS.

14 5. The very next day, on January 15, 2008, the Defendants informed Plaintiff that they
15 would now provide Plaintiff and her fellow Club members with access to all of the rights, benefits,
16 and privileges given to other student members of officially recognized clubs at WHS.

17 6. Plaintiff has been provided such rights, benefits, and privileges and is now meeting
18 as part of the Live Action-Pro-Life Club.

19 Based on the above actions of the Defendants, Plaintiff hereby voluntarily dismisses this
20 action without prejudice.

1 Dated this 29th day of January, 2008.

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3 Respectfully submitted,

4 /s/ Timothy Chandler

4 David A. Cortman, GA Bar No.188810*
5 *Lead Counsel*
5 Joshua B. Bolinger, OH Bar No. 0079594*
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5 Timothy Chandler, CA Bar No. 234325
6 *Local Counsel*
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16 *Attorneys for Plaintiff*
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