

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION**

**SONNIE WELLINGTON
HEREFORD, IV, et al.,**

Plaintiffs,

v.

UNITED STATES,

Intervenor Plaintiff,

v.

**HUNTSVILLE BOARD OF
EDUCATION, et al.,**

Defendants.

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Case No.: 5:63-cv-00109-MHH

ORDER

Consistent with the Court’s memorandum opinion (Doc. 364) entered simultaneously with this order, the Court orders as follows:

(1) The Board shall remove from its website and any other avenue of public communication:

- (a) all Power Point slides and charts that state or suggest that the United States’s proposed alternative student assignment plans contain numerous feeder pattern splits; and

(b) the Power Point slide that suggests that the Board's faculty assignment meets unitary status criteria under governing case law.

(2) The Court appoints Chief Magistrate Judge Ott to mediate this matter. In mediation the parties shall discuss, at a minimum, a proposed plan that will enable the Board to file a motion for declaration of unitary status. The parties should design a plan that incorporates specific benchmarks, reporting requirements, and reporting deadlines. The parties shall also discuss a joint proposed student assignment plan that includes educational programs designed to address inequalities in programs in the district's primary and secondary schools and other topics or issues the parties identify, including but not limited to Dr. Wardynski's proposal to convert Martin Luther King, Jr. Elementary from a K-6 grade school to a K-8 grade school.

(3) Within **seven days** of entry of this order, the parties shall file a notice if they wish to be heard regarding the facts of which the Court took judicial notice from the following websites:

(a) The Huntsville City Schools website, found at www.huntsvillecityschools.org; and

(b) The Alabama State Department of Education website, found at www.alsde.edu/Pages/home.aspx.

(4) Within **ten days** of entry of this order, each party shall provide to the Court the names of up to three individuals who they would like for the Court to consider as candidates for Special Master. The Court appoints Magistrate Judge Harwell Davis to oversee discovery in this matter. Both Judge Davis and the undersigned shall work with the Special Master to gather information relevant to the Court's constitutional analysis.

DONE and **ORDERED** this 30th day of June, 2014.

A handwritten signature in black ink, reading "Madeline H. Haikala". The signature is written in a cursive style with a horizontal line underneath it.

MADELINE HUGHES HAIKALA
UNITED STATES DISTRICT JUDGE