

In order to preserve the District's ability to argue these issues in the above appeals, we are required to file a notice of appeal on or before March 26, 2021. This is prior to our next meeting. So, upon consultation with the chair and executive director, the general counsel went ahead and filed the notice of appeal of the final order. This filing was necessary to preserve the District's rights until you could instruct me how you wish to proceed in light of the changes in circumstances which occurred after the last meeting. Additionally, now that the appeal has been filed and the District's rights preserved, the District is filing a motion with the District Court of Appeal requesting the court stay the appeal until the petitions are resolved so that all these issues may be heard by the District Court of Appeal at one time.

As the appeal was filed without the Governing Board's prior approval (due to the circumstances that unfolded after the last Governing Board meeting) the Governing Board must instruct the undersigned whether it wishes to continue with the appeal. The appeal may be dismissed with no prejudice to the District.

However, my recommendation is to allow the appeal to proceed to keep the District's options open at this time. As the petitions proceed before the Division, this issue may be revisited by the Governing Board as the need arises.

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