SUPERIOR COURT OF THE STATE OF CALIFORNIA

IN AND FOR THE COUNTY OF ALAMEDA

KAWIKA SMITH, through his guardian ad litem LEILANI REED; GLORIA D, through her guardian ad litem DIANA I; STEVEN C., through his guardian ad litem, MARGARET F.; ALEXANDRA VILLEGAS, an individual; CHINESE FOR AFFIRMATIVE ACTION, nonprofit organization; COLLEGE ACCESS PLAN, a nonprofit organization; COLLEGE SEEKERS, a nonprofit organization; COMMUNITY COALITION, a nonprofit organization; DOLORES HUERTA FOUNDATION, a nonprofit organization; and LITTLE MANILA RISING, a nonprofit organization,

Plaintiffs,

v.

REGENTS OF THE UNIVERSITY OF CALIFORNIA; JANET NAPOLITANO, in her official capacity as President of the University of California; and DOES 1-100,

Defendants.

Case No. RG19046222

ORDER AFTER HEARING GRANTING PRELIMINARY INJUNCTION

Plaintiffs seek to enjoin Defendant The Regents of the University of California ("UC") from considering the results of SAT or ACT tests in admissions and scholarship decisions. While

they decry the asserted racially discriminatory and classist impact of the tests, their primary argument is that the current "test-optional" policy at most of the UC campuses denies admissions applicants with disabilities meaningful access to the additional admission opportunity that test-submitters will enjoy, in large part because they have not taken these tests and will not be able to take them with appropriate accommodation during this Covid-19 pandemic. In short, students with disabilities are denied the same option and second chance for admissions that non-disabled applicants enjoy in the test-optional regime.

Although the parties dispute many things, many basic facts in this case are not disputed. UC, like many universities, for years required undergraduate admissions applicants to submit SAT or ACT test results as part of their applications, and it considered such test results as part of its admission criteria. On May 21, 2020, however, UC decided to eventually eliminate the use of the tests. In the first phase, its campuses could decide to continue the use of the test as an "optional" part of the admissions process until 2022. Thereafter, the admissions process would be "test-blind." A number of campuses, including UC Berkeley, UC Santa Cruz and UC Irvine, have decided to immediately abandon the use of these tests even in an optional manner. Other campuses, such as UC Riverside, UC San Diego, and UCLA have elected to continue the optional use of the test.

The one month application period opens on November 1, 2020, and tests may be submitted as late as the end of the year for the test optional campuses.

The current Covid-19 pandemic has resulted in restrictions in the availability of test-sites. While test-taking opportunities for all students have been limited, for persons with disabilities, the ability to obtain accommodations or even to locate suitable test locations for the test is "almost nil." (Hiss Decl. par. 54).

The court concludes that plaintiffs have satisfied their burden of justifying the issuance of a preliminary injunction.

I. FACTUAL BACKGROUND

The SAT and ACT tests have long been a part of the UC Admissions process, and have also long been the subject of much controversy regarding their validity, alleged bias, and other issues. The experts from both sides in this case agree that these are serious matters which limit the utility of the tests under normal circumstances. (*See generally* Blanck Decl. Supp. Plfs.' Mot. ¶ 19; Hiss Decl. Supp. Def.'s Opp. ¶¶ 28, 30, 36.) The experts debate whether students who do not submit tests at colleges and universities which allow, but do not require, test results as part of their admissions criteria ("test-optional" institutions) are disadvantaged in the admissions process. Both sides cite a work by defense experts Steven T. Syverson and William C. Hiss (along with their co-author Valerie W. Franks, who is not an expert in this case): "Defining Access: How Test-Optional Works" (2018). This research project, apparently not yet published, looked at colleges and universities, not including UC, and compared admission rates. The data all preceded the Covid-19 pandemic. The experts draw different conclusions from the data. (*Compare* Blanck Decl. ¶¶ 40-43; Syverson Decl. ¶¶ 14, 17-21; Hiss Decl. ¶¶ 21-22.) The court agrees with the defense experts that their data do not demonstrate that, in general, non-submitters in the pre-Covid-19, non-UC world were disadvantaged by a test-optional admissions process.

The data cited by the defense experts, however, could not provide sufficient information from which any definitive conclusions could be drawn for applicants with disabilities because "there is limited research, and very limited data, regarding students with Learning Differences/Disabilities (LD) in the college admission process." (Syverson Decl. ¶ 15.) Dr. Syverson explains that he is "not aware of any study with a sufficiently large amount of appropriate data to allow meaningful conclusions to be drawn about the impacts of test-optional admissions policies on LD students." (*Id.* ¶ 27.) LD applicants nevertheless are a significant portion of the applicant pool for colleges, ranging from 4-7% of all applicants in the test optional study. (*Id.* ¶ 25.) Other data suggests the proportion of LD college applicants who have disabilities may be greater. (*See* Blanck Decl. ¶ 33 n.33 [4-5% of SAT/ACT test-takers are given

accommodations, but 14% of California students qualify for special education and 12.5% receive services through IEPs under the IDEA].)

The challenges for applicants with disabilities in the pre–Covid-19 world were substantial. Significant barriers faced these students seeking accommodations in the SAT or ACT process. (Blanck Decl. ¶¶ 25-32; Offiesh Decl. ¶¶ 22-37.) There is little data regarding the validity or reliability of these tests for test-takers with disabilities. (Blanck Decl. ¶¶ 21-22.) Such students nevertheless score lower on average on these tests than their non-disabled peers, ever when they receive test accommodations. (Blanck Decl. ¶¶ 33.) Indeed, defense expert Syverson states "I fully acknowledge and endorse the numerous concerns over the lack of value, appropriateness, and accessibility of the SAT/ACT for LD students." (Syverson Decl. ¶ 26.)

The barriers faced by students with disabilities have been greatly exacerbated by the Covid-19 epidemic, which has disrupted test taking locations, closed schools, and limited access to school counselors. While plaintiffs' witnesses recount these problems in great detail (*see generally* Blanck, Kazan, Offiesh and Grajewski Decls.), defense expert Hiss bluntly summarizes: "As the expert witnesses have expressed, the odds in this Covid time of students either getting their accommodations approved or finding a suitable testing site are *almost nil*, especially in California with its extraordinarily poor ratio of students to guidance counselors who are supposed to guide requests for accommodations, and given that most schools have been closed since mid-spring, and are likely to remain in limbo well into the fall." (Hiss Decl. ¶ 54 [emphasis added].)

To be sure, Covid-19 has disrupted the testing process for many students to an extent that, at the hearing on this matter, defense counsel could not offer an estimate of the number of likely test-takers this year. But the barriers faced by students with disabilities are indisputably significantly greater than those faced by non-disabled students.

As noted above, UC has adopted a temporary "test-optional" policy but left it to individual campuses to decide whether to permit a test option at all. As of the date of the hearing

on this matter, three UC campuses (UC Berkeley, UC Irvine and UC Santa Cruz) have decided against allowing the test option. (To use the UC's term, they are "Test-Blind Campuses.") The other six campuses are "test optional," which means applicants have the option to submit the test results or not. (Of course, as noted above, students with disabilities do not have a test option as a practical matter because the chances of being able to take either standardized test with or without accommodations are almost nil.)

The "test-optional" campuses, with the exception of UC Riverside, all do an initial "holistic review" of an applicant without taking test results into account. Thereafter, for test-submitters, there is a second review including test scores. UC Riverside, on the other hand, uses a "Dual-algorithmic" process under which each student is evaluated for admission without consideration of test results, based on their entire application, and separately evaluated with the test results included. Whichever process results in a higher score is used for UC Riverside's admissions decisions.

While the Regent's declarants state that the absence of a test will not be held against applicants, and assert that admissions officials will be trained to not do so, they do not dispute that the inclusion of test results can help an applicant's chances of admission, and will not hurt their chances of admission. As counsel for UC conceded at the hearing on this matter, test results can only help, and never hurt an applicant. Put another way, the tests are treated as plus factor and thus test-submitters are given a second opportunity for admissions consideration.

II. INJUNCTIVE RELIEF

The standards for preliminary in junctive relief are well settled. "In deciding whether to issue a preliminary injunction, a court must weigh two "interrelated" factors: (1) the likelihood that the moving party will ultimately prevail on the merits and (2) the relative interim harm to the parties from issuance or nonissuance of the injunction. . . . The trial court's determination must be guided by a 'mix' of the potential-merit and interim-harm factors; the greater the plaintiff's

showing on one, the less must be shown on the other to support an injunction." (*Butt v. State of California* (1992) 4 Cal.4th 668, 677–678 [citation omitted].)

Although the court must assess the relative harm to the parties, there is no freestanding requirement that plaintiff establish irreparable injury. In *Butt*, the court was faced with a similar allegation, but held "the court was not obliged to deny a preliminary injunction simply because plaintiffs failed to demonstrate that "irreparable" harm to students was unavoidable by other means. The preliminary record properly convinced the court *both* that plaintiffs had a reasonable probability of success on the merits, *and* that they would suffer more harm in the meantime if an injunction were denied than the State would suffer if it were granted. This "mix" of the "interrelated" relevant factors fully justified the court's decision to grant the injunction." (*Butt, supra*, 4 Cal.4th at pp. 693–694; *see also White v. Davis* (2003) 30 Cal.4th 528, 554 ["To obtain a preliminary injunction, a plaintiff ordinarily is required to present evidence of the irreparable injury *or* interim harm that it will suffer if an injunction is not issued." [emphasis added].)

The court accordingly evaluates the parties' likelihood of success and relative harm.

A. Standing to Seek Injunction

Earlier in this case, this court addressed standing issues when faced with Defendant's Demurrer. The Court noted that UC conceded that plaintiff Stephan C had standing under the Disabled Person Act but as then pleaded, there were insufficient facts alleged to establish associational standing for the organizational plaintiffs, including College Seekers because the complaint failed to allege that the organization's members were affected by the test requirement. (Order After Hearing on Defendants' Demurrer to Plaintiffs' Complaints [May 15, 2020].) Plaintiffs have since amended their complaint to add additional allegations and plaintiffs and have provided declarations in support of their claims in this motion.

Although UC does not explicitly couch their argument against plaintiffs in this motion as a standing claim, the thrust of its argument is that no plaintiff has standing to seek preliminary injunctive relief. UC argues first that no student plaintiff actually seeks admission in the

upcoming semester and thus they cannot show any irreparable injury to themselves. UC is correct that some of the plaintiffs are not eligible to seek admission for the 2021 semester. For example, plaintiff Stephen C is currently a sophomore in High School and not eligible to apply in the upcoming year.

On the other hand, newly added plaintiff Gary W. just graduated from high school and has completed all UC prerequisites for application. He has diagnosed learning disabilities and received accommodations in high school. He has faced formidable barriers to taking the SAT, and has been unable to do so. Because he is unable take the SAT or ACT with accommodations, he plans to take a "gap year." (*See* Gary W. Decl.) UC argues that Gary W. cannot establish irreparable injury to support preliminary relief because he doesn't plan to apply this year. This argument misreads his declaration. The reason Gary W. is not applying this year is because he cannot take the SAT. He confirms this in his supplemental reply declaration where he states that if UC had a "test blind" policy, he would be happy to apply. (Gary W. Suppl. Decl. ¶¶ 2-5.)

Gary W. has alleged and declared sufficient facts to establish standing to seek injunctive relief. Under the DPA, which provides that "potentially aggrieved" individuals may seek injunctive relief, "virtually any disabled person" may seek such relief. (*Flowers v. Prasad* (2015) 238 Cal.App. 4th 930, 943, quoting *Jankey v. Lee* (2012) 55 Cal.4th 1038, 1051.)

UC also argues that organizational plaintiff College Seekers cannot establish standing because it does not have members who are injured by the test optional policy. But its Executive Director, Laura Kazan, makes clear in her declaration that the organization has student members who have struggled to get accommodated in the test process and that, in the Covid-19 period, such accommodations are virtually impossible to obtain. (Kazan Decl. ¶¶ 4, 16, 20-23.) Her supplemental declaration confirms that her members include students with disabilities who meet UC requirements, wish to apply in the fall of this year, but cannot take the SAT with the accommodations they require. (Kazan Suppl. Decl. ¶ 4.)

UC argues that purported injuries to non-parties cannot establish irreparable injury since no class claims have been pled. Here, however, plaintiffs have shown injury to several parties. Regents cite no authority for the proposition that class claims are required under California law in order to seek an injunction where individual plaintiffs have established their own standing to seek such relief, nor do they explain how individual relief could be provided to plaintiffs where, as here, a general policy has been challenged. In any event, even in federal cases where the strictures of Article III impose constitutional standing requirements not applicable to California state courts (*see People ex.rel. Becerra v. Superior Court* (2018) 29 Cal.App.5th 486, 497), an individual plaintiff is not barred from seeking broad injunctive relief in the absence of a certified or even alleged class where the challenge is to a general policy. (*See, e.g.*, *Bresgal v. Brock* (9th Cir. 1987) 843 F.2d 1163, 1171.)

B. Plaintiffs Are Likely to Succeed on their Disability Claims

Plaintiffs assert claims under the Unruh Civil Rights Act, the Disabled Persons Act (DPA), and Government Code § 11135. Both the Unruh Civil Rights Act and the DPA incorporate the Americans with Disabilities Act (ADA) and make violation of the ADA a basis for liability under these California statutes. (*See* Civ. Code §§ 51(f), 54(c), 54.1(d).) In adopting the ADA, the California Legislature intended "to strengthen California law in areas where it is weaker than the [ADA] and to retain California law when it provides more protection for individuals with disabilities than the [ADA]." (*Munson v. Del Taco, Inc.*, (2009) 46 Cal.4th 661, 669, quoting Stats. 1992, ch. 913, § 1, p. 4282).

The ADA protections are not limited to victims of intentional discrimination. Rather, a broad range of conduct is proscribed, as the applicable regulations attest. The regulations provide that a public entity "may not, directly or through contractual, licensing, or other arrangements, on the basis of disability . . . (ii) Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others . . . (iii) Provide a qualified individual with a disability with an aid, benefit, or service that is not

as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or reach the same level of achievement as that provided to others . . . [or] (vii) Otherwise limit a qualified individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit or service." (28 C.F.R. § 35.130(b)(1).) Further, "[a] public entity shall not impose or apply eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals from fully and equally enjoying any service, program, or activity being offered." (28 C.F.R. § 35.130(b)(8).)

The ADA thus extends to reach a range of conduct, including conduct that creates an adverse impact on an individual with a disability. The Supreme Court, however, requires a showing that the proscribed conduct has denied persons with disabilities "meaningful access to the benefit" that is offered, provided that "the benefit itself, of course, cannot be defined in a way that effectively denies otherwise qualified handicapped individuals the meaningful access to which they are entitled . . . ." (*Alexander v. Choate* (1985) 469 U.S. 287, 301.) Under that test, the ADA eschews reliance solely on traditional intentional or adverse impact labels; instead, the courts must look to the "meaningful access standard." (*Crowder v. Kitagawa* (9th Cir. 1996) 81 F.3d 1480, 1484.) In *Crowder*, for example, Hawaii's canine quarantine requirement for travelers was equally applied to all persons but denied meaningful access to vision impaired individuals "in a manner different and greater than it burdens others." (*Ibid.*)

In *Smith v. City of Oakland* (N.D. Cal. 2020) ___F.Supp.3d __, 2020 WL 2517857, persons with disabilities claimed an Oakland Ordinance limited the number of accessible dwelling units available to them. Defendant argued that the plaintiffs in fact were able to rent in Oakland. The court found that this assertion "mischaracterizes the alleged injury" because plaintiffs "allege[d] that they were denied equal opportunity to participate in and benefit from" the ordinance and were thus denied meaningful access to services that "remain open and easily accessible by others." (*Id.* at *8.) While the plaintiffs could rent in Oakland, this no more excused the denial of services than the disabled court attendees who were able to attend court "by

crawling up the courthouse steps." (*Id.* at *9, citing *Tennessee v. Lane* (2004) 541 U.S. 509.) The cases do not define "meaningful access" with precision. Conduct that creates some additional burden on a person with a disability may not alone be sufficient. (*Hunsaker v. Contra Costa County* (9th Cir. 1988) 149 F.3d 1041, 1043.)

UC argues that Plaintiffs cannot show a denial of meaningful access because they cannot show that the optional use of the tests will have an adverse impact on admission rates of persons with disabilities. Because the test optional regime has not been in place for an admissions cycle, UC is correct that there is no data available to demonstrate such adverse impact. Further, there is a paucity of data for persons with disabilities in the admissions process at schools with test optional policies. (Syverson Decl. par. 27.) Relief under the ADA, however, is not dependent on proof of such ultimate impact. Rather, the question here is whether the inability of persons with disabilities to avail themselves of the test option, and thus the inability to take advantage of the "plus factor" or "second look" available to test takers is a denial of meaningful access to an opportunity or benefit that persons without disabilities enjoy. In short, applicants with disabilities are denied meaningful access to the "aid, benefit or service" that test-taker have. They are denied a potential second chance at admission.

UC suggests its "holistic" process might make up for the denial of the ability to offer a test. But as its counsel admitted in the hearing on this matter, a test can only help the applicant. First, whether to submit a test score is solely up to the applicant: if they believe the test will not assist them, they need not submit it. More to the point, the specific procedures at the campuses that have chosen a test-optional regime, give the applicant the benefit of a higher score (UC Riverside), or gives the test taker a "second look" (UC Santa Barbara, UC Davis).

UC analogizes this case to *O'Connell v. Superior Court* (2006) 141 Cal.App.4th 1452. In that case, the Court of Appeal rejected an equal protection challenge to the high school exit exam when students had alternatives to the exam and the only arguable injury they would face would be a delay in receipt of a diploma. There was, however, no question that the high school diploma

requirement was a valid method of measuring academic achievement and that there was a clear public interest in requiring such a measure of achievement. (*Id.* at p.1471.) Here, the evidence shows that the efficacy of the tests is at best minimal, and the ADA provides a broader basis for liability than the equal protection clause. Nor is the fact that students with disabilities have other campus options at UC or elsewhere a defense to liability. As UC must acknowledge, the campuses are not fungible. They differ in their geographic location, and also in the relative strengths of scholastic and extra-curricular programs. Students with disabilities do not have the same meaningful access as non-disabled students if they are relegated to only a few of the UC campuses.

The court concludes that plaintiffs have made a substantial case that they will likely succeed on the merits under the current pandemic conditions.

C. Relative Harm

Plaintiffs have shown that they are denied meaningful access to the additional "benefit, aid or service" that the test option affords. Unlike their non-disabled peers, they do not have the option to submit test scores; even if they did, their chances of obtaining necessary test accommodations are virtually non-existent. They get no second look or "plus factor" that non-disabled students are afforded in the admissions process.

UC argues that this harm must be balanced against harm to it and third parties.

UC argues that the test optional process afford students "choice" and "flexibility." (citing Syverson Dec ¶ 34 and Hiss Decl. ¶ 31). The extent of this choice during the current Covid-19 period, when test centers are limited, is open to question. UC and some of its experts suggest a test-optional regime might assist some applicants from disadvantaged backgrounds. This assertion is speculative and, more to the point, does not dispute that applicants with disabilities will be unable to take advantage of this benefit or that disadvantaged applicants in general would be much less likely to be able to benefit from the test option than non-disadvantaged applicants. Indeed they do not dispute that the test option is likely to be more available to students from

higher-income families who have the means to pay for test preparation courses and travel to distant available test locations.

UC also argues that granting the injunction would cause confusion and upend the admissions process. Although an injunction would no doubt dismay some, the application process has not yet opened. The fact that a number of campuses have decided in short order to eliminate the test as part of the admission process, and others have a two-step process—the first step of which allows all students to be evaluated without a test—undermines a claim that eliminating the test will result in chaos or confusion by the admissions departments. All UC campuses must evaluate all applicants without the tests in the first instance. Eliminating the test option would only eliminate that second step.

Moreover, the "chaos and confusion" argument ignores the realities of this pandemic period. The pandemic has already disrupted the admissions process—by limiting test availability, disputing the final semester of high school seniors' classes, precluding counseling and the like. (Hiss Decl. ¶ 29 ["Through circumstances with Covid none of us could have predicted, a lot of the next year in Admissions will be quite imperfect."].) Nobody expects the pre-Covid-19 status quo under these conditions, however fervently they wish it would return. The precise manner in which the test-optional schools will implement the new process has not been firmly established at each of the schools, and information about the process has not been uniformly published. (*See* Def.'s Opp. at pp.21-22.)

UC properly argues that the court should consider the public interest as well as the interest of third parties. The public interest in continuing the use of tests that the University has indicated that it will abandon is not clear, particularly where three UC campuses, including Berkeley, will immediately cease using test results in admissions. UC does not seriously argue that the test is a valid and effective means of determining admissions nor does it deny that that non-disabled, economically advantaged, and white test takers have an inherent advantage in the

test process. It also does not deny that, in the current pandemic conditions, the availability of tests is further restricted and thus would likely exacerbate these advantages.

The court concludes that the balance of harm tips decidedly in favor of the Plaintiffs.

III. EVIDENTIARY RULINGS

UC's objections to the Declaration of Lisa Grajewski are **OVERRULED**. Grajewski is qualified as an expert and has foundation for the opinions expressed in the declaration. The arguments raised in objection go to the weight of that opinion, not its admissibility.

UC's Objections to the Declaration of Nicole Ofiesh are **OVERRULED**. Ofiesh is qualified as an expert and has foundation for the opinions expressed in the declaration. The arguments raised in objection go to the weight of that opinion, not its admissibility.

UC's Objections to paragraphs 14 and 15 of the Declaration of Gary W are **OVERRULED**. These statements are not offered for the truth of the matters asserted but rather for Gary W.'s state of mind.

UC's Objections to paragraphs 9 and 20 of the Declaration of Stephen C. are **OVERRULED**. Stephen C.'s personal fears are testimonial facts and his conclusions based on limited information are admissible lay opinion. UC's Objection to paragraph 10 of the Declaration of Stephen C. is **SUSTAINED**. Stephen C.'s guidance counselor's statements may not be offered for the truth of the matters asserted.

UC's objection to the Declaration of Dillon Delvo is **OVERRULED**. The declaration tends to show that families and students are aware that a "test-optional" application system is an aid or benefit to applicants who are able to provide test scores.

UC's objections to the Declaration of Lauren Kazan are **OVERRULED**. Kazan is a guidance counselor and may speak from her own experience, even without showing that it is representative. Her opinion that test-optional admissions processes will advantage test-takers is adequately supported by her experience as a guidance counselor and other evidence in the record

on this motion. Her conclusion that she must encourage her students to take standardized tests notwithstanding "test-optional" processes is not speculation.

The Court declines to rule on the remaining objections as they are not relevant to the grounds of its opinion.

IV. CONCLUSION AND ORDER

The Court concludes that that Plaintiffs have met their burden to justify the issuance or a preliminary injunction. The motion is therefore **GRANTED**. The defendants, their officers, agents and employees (including their individual campuses), are hereby enjoined from using SAT and the ACT test results for admissions or scholarship decisions[1] during the pendency of this action.

In a footnote in its opposition papers, UC cites Code of Civil Procedure section 529, arguing that, if an injunction is granted, the Court must require the moving party to provide an undertaking sufficient to cover any damages sustained by UC by reason of the injunction. Although mandatory in form, there are recognized exceptions to this requirement, such as the poverty of the plaintiffs. (*Conover v. Hall* (1974) 11 Cal. 3d 842.) There is a split of authority as to whether in fixing the amount of the undertaking the likelihood of prevailing in the case may be taken into account. (*Compare ABBA Rubber Co. v. Seaquist* (1991) 235 Cal.App.3d 1, 16 n.8, *with Oiye v. Fox* (2012) 211 Cal.App.4th 1036, 1062.) In any event, UC offers no argument or evidence in support of its request regarding the amount of the undertaking that may be assessed. The Court, in its discretion, sets the amount of plaintiffs' undertaking at $1,000.

The court **SETS** a Case Management Conference in this case on September 29, 2020, at 3:00 pm. A Joint CMC Statement should be filed (and emailed to the department clerk) no later than 5 days before the hearing.

IT IS SO ORDERED.

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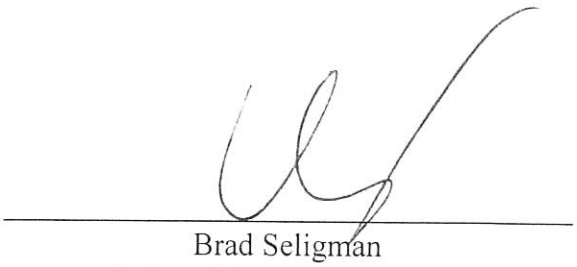
[1] Although plaintiffs' motion also seeks to enjoin the use of the tests for post-enrollment course placement decisions, their motion lacks evidentiary support and no plaintiff at this point has shown that such use would cause them injury. Accordingly, the court denies this request for relief.

Dated: August 31, 2020



Brad Seligman
Judge of the Superior Court

SUPERIOR COURT OF CALIFORNIA
COUNTY OF ALAMEDA

Case Number: RG19046222 (Consolidated with RG19046343)
Case Name: Smith v. Regents of the University of California

RE: ORDER AFTER HEARING GRANTING PRELIMINARY INJUNCTION

CLERK'S CERTIFICATE OF SERVICE

I certify that I am not a party to this cause and that a true and correct copy of the foregoing document was mailed first class, postage prepaid, in a sealed envelope, and that the mailing of the foregoing and execution of this certificate occurred at 1225 Fallon Street, Oakland, California.

Executed: 09/01/2020

Jhalisa Castaneda
Courtroom Clerk, Dept. 23

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