

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHARLES H. AND ISRAEL F., on behalf
of themselves and all others similarly
situated,

Plaintiffs,

v.

THE DISTRICT OF COLUMBIA, *et al.*,

Defendants.

Civil Action No. 1:21-cv-00997 (CJN)

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION CONCERNING
EDUCATION FOR STUDENTS WITH DISABILITIES
AT THE DC JAIL COMPLEX**

Pursuant to Rule 65 of the Federal Rules of Civil Procedure, plaintiffs respectfully move this Court to issue a preliminary injunction ordering defendants the District of Columbia Public Schools (DCPS), the Office of the State Superintendent of Education (OSSE), and the District of Columbia (the District), to take appropriate affirmative actions to halt defendants' unlawful practices and procedures, since the start of the COVID-19 public health emergency, that have resulted in the deprivation of a free and appropriate public education to plaintiffs and other similarly situated persons, and to bring the District, OSSE, and DCPS into compliance with the Individuals with Disabilities in Education Act, the Rehabilitation Act, the Americans with Disabilities Act, and District of Columbia law and implementing regulations.

As set forth in the accompanying Plaintiffs' Memorandum in Support of Their Motion for a Preliminary Injunction Concerning Education for Students with Disabilities at the DC Jail complex, plaintiffs and the putative class members are entitled to a preliminary injunction because they are likely to succeed on the merits of their claims, they are suffering and will continue to

suffer irreparable injury in the absence of the requested relief, the balance of equities tips in their favor, and the issuance of such an injunction is in the public interest.

A supporting memorandum of points and authorities and a proposed order are attached.

STATEMENT PURSUANT TO LOCAL CIVIL RULE 7(m)

Consistent with Local Rule 7(m), plaintiffs contacted attorneys who represent the defendants on April 8, 2021 to seek their consent to the relief requested herein. Defendants have not responded.

Respectfully submitted,

/s/ *Zenia Sanchez Fuentes*

Kathleen L. Millian, DC Bar No. 412350
Zenia Sanchez Fuentes, DC Bar No. 500036
Stephanie A. Madison, DC Bar No. 1025581
TERRIS, PRAVLIK & MILLIAN, LLP
1816 12th Street, NW, Suite 303
Washington, DC 20009-4422
(202) 682-2100, ext. 8478
kmillian@tpmlaw.com; zsanchez@tpmlaw.com;
smadison@tpmlaw.com

Ifetayo Belle, DC Bar No. 1601686
Sarah Comeau, DC Bar No. 1012980
SCHOOL JUSTICE PROJECT
1805 7th Street, NW, 7th Floor
Washington, DC 20001-3186
(202) 630-9969
tbelle@sjpdc.org; scomeau@sjpdc.org

Kaitlin R. Banner, DC Bar No. 1000436
Margaret F. Hart, DC Bar No. 1030528
Jonathan Smith, DC Bar No. 396578
WASHINGTON LAWYERS' COMMITTEE FOR CIVIL
RIGHTS AND URBAN AFFAIRS
700 14th Street, N.W., Suite 400
Washington, DC 20005
Phone: (202) 319-1000
Fax: (202) 319-1010
kaitlin_banner@washlaw.org; margaret_hart@washlaw.org;
jonathan_smith@washlaw.org

April 12, 2021

Counsel for Plaintiffs