

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

FILED

NOV 21 2000

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

PETER MILLS, et al.,

Plaintiffs

v.

Civil Action No. 71-1939 (JGP)

**BOARD OF EDUCATION OF THE
DISTRICT OF COLUMBIA, et al.,**

Defendants

ROBBY GIBSON,

Applicant

v.

Civil Action No. 71-1939 (JGP)

**THE GOVERNMENT OF THE
DISTRICT OF COLUMBIA, et al.,**

Defendants

ORDER

Currently before the Court is applicant Robby Gibson's **Application for Preliminary Injunction** [#5]. After listening to oral arguments on the Application on November 21, 2000, the Court shall allow both the applicant and the defendant to file a supplemental memorandum on or before December 4, 2000. Responses to any supplemental memoranda filed are due on or before December 11, 2000.

At the hearing held on November 21, 2000, counsel for the applicant tendered to the Court a copy of the "Five Day Disclosure" used in the due process hearing before the District of Columbia Public Schools ("DCPS") hearing officer. This Disclosure includes the Form 6 filed on the

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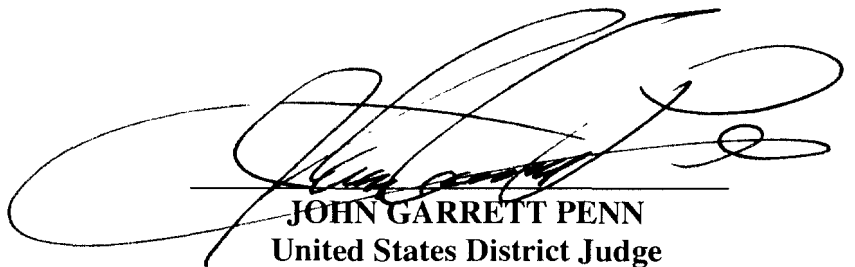
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applicant's behalf, along with a psychological evaluation of the applicant performed by the Kennedy Krieger Children's Hospital, a psychotherapy report on the applicant completed by Washington Assessment & Therapy Services, the applicant's birth certificate and Social Security card, and the order from the District of Columbia Superior Court pertaining to the applicant's status. In his supplemental memorandum, the applicant should provide the Court any additional information pertaining to the applicant's condition and legal status as a ward of the District of Columbia.

Furthermore, defendant is ordered to include in its supplemental memorandum a detailed explanation of all actions taken by DCPS to administer the testing of the applicant required by the Individuals with Disabilities Education Act to determine if he requires special education services. Defendant shall provide the Court with copies of any and all correspondence directed to the applicant's foster parents and educational advocate regarding arrangements for carrying out the required tests.

SO ORDERED.

Date: NOV 21 2000



JOHN GARRETT PENN
United States District Judge

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