

SUPREME COURT OF NEW JERSEY
M-317 September Term 2004
42,170

RAYMOND ARTHUR ABBOTT, a minor, by his Guardian Ad Litem, FRANCES ABBOTT; ARLENE FIGUEROA, FRANCES FIGUEROA, HECTOR FIGUEROA, ORLANDO FIGUEROA and VIVIAN FIGUEROA, minors, by their Guardian Ad Litem, BLANCA FIGUEROA; MICHAEL HADLEY, a minor, by his Guardian Ad Litem, LOLA MOORE; HENRY STEVENS, JR., a minor, by his Guardian Ad Litem, HENRY STEVENS, SR.; CAROLINE JAMES and JERMAINE JAMES, minors, by their Guardian Ad Litem, MATTIE JAMES; DORIAN WAITERS and KHUDAYJA WAITERS, minors, by their Guardian Ad Litem, LYNN WAITERS; CHRISTINA KNOWLES, DANIEL KNOWLES, and GUY KNOWLES, JR., minors, by their Guardian Ad Litem, GUY KNOWLES, SR.; LIANA DIAZ, a minor, by her Guardian Ad Litem, LUCILA DIAZ; AISHA HARGROVE and ZAKIA HARGROVE, minors, by their Guardian Ad Litem, PATRICIA WATSON; and LAMAR STEPHENS and LESLIE STEPHENS, minors, by their Guardian Ad Litem, EDDIE STEPHENS,

Plaintiffs-Respondents,

v.

FILED

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Richard J. ...
CLERK

O R D E R

FRED G. BURKE, Commissioner
of Education; EDWARD G.
HOFGESANG, NEW JERSEY
DIRECTOR OF BUDGET and
ACCOUNTING; CLIFFORD A.
GOLDMAN, NEW JERSEY STATE
TREASURER; AND NEW JERSEY
STATE BOARD OF EDUCATION,

Defendants-Movants.

This matter having come before the Court on the application
of the Department of Education for certain specified
modifications to the Court's Order in Abbott v. Burke, 173 N.J.
578 (2003) (Abbott X), which approved and implemented an
agreement reached by the parties through mediation conducted by
the Hon. Philip S. Carchman, J.A.D.,

And the Court having considered the responses to the motion
by the Education Law Center (ELC), including ELC's requests for
discovery and further mediation;

And good cause appearing;

It is ORDERED that the parties shall participate in
mediation as follows:

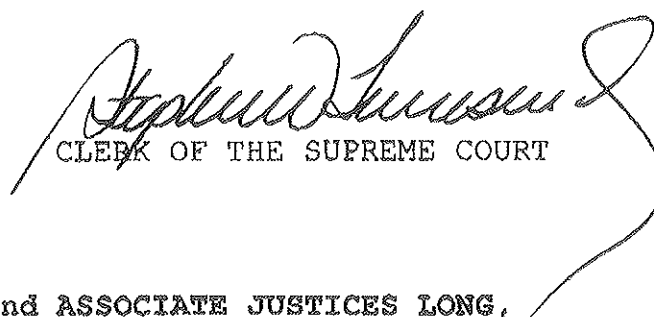
- a) Superior Court, Appellate Division, Judge
Richard J. Williams (retired on recall), is
appointed to serve as a Special Master to
mediate the issues arising out of
defendants' motion;
- b) After conferring with Senior Deputy Attorney
General Michelle L. Miller for defendants
and David G. Sciarra, Esquire for
plaintiffs, Judge Williams shall determine

who is to be included in the mediation process as representatives of the parties;

- c) Mediation shall be completed by November 30, 2004;
- d) Judge Williams shall report to the Court specifically on all areas of agreement and on any areas on which agreement could not be reached; and
- e) During and after completion of the mediation process, no further submissions to the Court shall be made unless requested by the Court.

Jurisdiction on M-317-04 is otherwise retained.

WITNESS, the Honorable Deborah T. Poritz, Chief Justice, at Trenton, this 1st day of November, 2004.

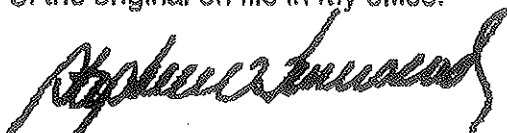


Handwritten signature of Stephen J. Lauria, Clerk of the Supreme Court.

CLERK OF THE SUPREME COURT

CHIEF JUSTICE PORITZ and ASSOCIATE JUSTICES LONG, LAVECCHIA, ALBIN, WALLACE, and RIVERA-SOTO join in the Court's Order. JUSTICE ZAZZALI did not participate.

The foregoing is a true copy of the original on file in my office.



Handwritten signature of Stephen J. Lauria, Clerk of the Supreme Court of New Jersey.

CLERK OF THE SUPREME COURT OF NEW JERSEY