

No. E-194,295
(E-FILE)

MARCELINO RODRIGUEZ,
DONNA JEAN FORGAS, LINDA
MARIE WILTZ GILMORE
Plaintiffs,

v.

BEAUMONT INDEPENDENT
SCHOOL DISTRICT, WOODROW
REECE, TERRY D. WILLIAMS,
JANICE BRASSARD, GWEN
AMBRES and ZENOBIA RANDALL
BUSH, in their respective official
capacities as Trustees of Defendant
Beaumont Independent School District
Defendants

§ IN THE DISTRICT COURT OF
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§ JEFFERSON COUNTY, TEXAS
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§ 172nd JUDICIAL DISTRICT
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AGREED ORDER TO SET ASIDE
ORDER SCHEDULING ELECTION

After considering the previously agreed and signed Agreed Order Scheduling Election, the previous ruling of the Ninth Court of Appeals, and the parties Agreed Motion to Set Aside Order filed with this Court, the Court rules as follows:

Defendants and Plaintiffs have filed an Agreed Motion to Set Aside Order that asks the Court to set aside the Agreed Order Scheduling Election previously agreed to by the parties and signed by the Court on February 7, 2014 (the "Agreed Order").

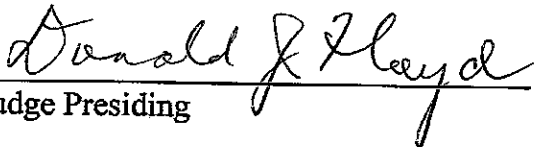
Since the Agreed Order, circumstances at Beaumont ISD have substantially changed. On July 21, 2014, the Texas Commissioner of Education appointed the current Board of Managers in accordance with Texas Education Code 39.112, which provides in pertinent part that the Commissioner, not later than the second anniversary of the seating

of the Board of Managers, will direct the Managers to call a trustee election within certain timeframes and subject to applicable election laws.

The Commissioner has not directed such an election. Under the timeframes in Texas Education Code 39.112 coupled with the statutory requirements for school districts to hold joint elections on uniform election dates, the date has passed by which the Commissioner could have directed the Board of Managers to order a May 2015 election. Additionally, the need for such an election in May 2015 has become unnecessary or moot because the Board of Managers have assumed the duties of the school trustees until the Commissioner directs an election under Texas Education Code 39.112. Therefore in accordance with the parties' agreement, it is

ORDERED that the Agreed Order Scheduling Election previously agreed to by the parties and signed by the Court on February 7, 2014, is hereby in all things set aside and dissolved.

Signed this the 19th day of December, 2014.



Judge Presiding

AGREED:

KARCZEWSKI | BRADSHAW, L.L.P.

/s/ Miles T. Bradshaw

MILES T. BRADSHAW

State Bar No. 02837450

315 N. Church Street

Nacogdoches, Texas 75961

Phone: 936-564-0010

Fax: 936-564-0020

Email: mbradshaw@kblawgroup.com

ATTORNEYS FOR DEFENDANTS

AGREED:

LAW OFFICES OF MICHAEL D. GETZ

/s/ Michael D. Getz

Michael D. Getz, Esq.
P. O. Box 1083
Beaumont, Texas 77704
Phone: 409-832-3381
Fax: 409-832-3384

Hubert Oxford IV
BENCKENSTEIN & OXFORD, LLP
3535 Calder, Ste. 300
Beaumont, Texas 77706
Phone: 409-833-9182
Fax: 409-833-8819
Email:hoxfordiv@benoxford.com

Michael J. Truncale
ORGAIN, BELL & TUCKER, LLP
470 Orleans Street
Beaumont, Texas 77701
Phone: 409-838-6412
Fax: 409-838-6959
Email:mjt@obt.com

David Vann de Cordova, Jr., Esq.
1680 Lindbergh Drive
Beaumont, Texas 77707
Phone: 409-842-0920
Fax: 409-842-0920
Email:ddecordovajr@gmail.com

ATTORNEYS FOR PLAINTIFFS