

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF LOUISIANA**

OLESS BRUMFIELD, et al.,

Plaintiffs,

and

UNITED STATES OF AMERICA,

Plaintiff-Intervenor,

v.

WILLIAM J. DODD SUPERINTENDENT OF  
PUBLIC EDUCATION, et al.,

Defendants,

and

LAKISHA FUSELIER; MITZI DILLON;  
TITUS DILLON; MARY ELDER; MICHAEL  
LEMANE, in their own behalf and on behalf of  
the children for whom they are guardians; and  
LOUISIANA BLACK ALLIANCE FOR  
EDUCATIONAL OPTIONS,

Defendant-Intervenors.

Civ. A. No. 71-1316

Judge Ivan L. R. Lemelle  
Magistrate Judge Joseph C. Wilkinson Jr.

**MOTION TO VACATE ORDER MODIFYING CONSENT DECREE**

Defendant-Intervenors Lakisha Fuselier, Mitzi Dillon, Titus Dillon, Mary Elder, and Michael Lemane, on behalf of themselves and the children for whom they are guardians, along with the Louisiana Black Alliance for Educational Options, on behalf of itself and its member families across the State of Louisiana, respectfully move this Court to vacate its order modifying the *Brumfield v. Dodd* consent decree pursuant to Fed. R. Civ. P. 60(B)(4) and Fed. R. Civ. P. 60(B)(5), or in the alternative pursuant to Fed. R. Civ. P. 59(e).

The reasons in support of this Motion are fully set forth in the attached Memorandum in Support of Motion to Vacate Order Modifying Consent Decree.

**Respectfully submitted May 5, 2014 by:**

*/s/ Clint Bolick* \_\_\_\_\_

Clint Bolick (Ariz. Bar #: 021684)

Jonathan Riches (Ariz. Bar #: 025712)

*Pro hac vice*

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 5, 2014, a true and correct copy of the foregoing Motion to Vacate was served on all counsel of record in the above-captioned matter by electronic means through the Court's ECF system.

/s/ Jonathan Riches

Jonathan Riches (Ariz. Bar #: 025712)