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FILED

MAY 22 2008

KIRI TORRE
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara

BY _____ DEPUTY

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BULLIS CHARTER SCHOOL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SANTA CLARA

LOS ALTOS SCHOOL DISTRICT,

Petitioner,

v.

SANTA CLARA COUNTY OFFICE OF
EDUCATION; BOARD OF TRUSTEES FOR
THE SANTA CLARA COUNTY OFFICE OF
EDUCATION; and DOES 1-100, inclusive,

Respondents.

BULLIS CHARTER SCHOOL,
Real Party-In-Interest

CASE NO. 108CV102873
**[PROPOSED] ORDER DENYING
PETITION FOR WRIT OF
MANDATE AND REQUESTED
DECLARATORY RELIEF**

Date: April 15, 2008
Time: 9:00 a.m.
Dept: 22

The Honorable Kevin Murphy

Trial: None Set

Petition Filed: January 9, 2008

1 This Court held a hearing to consider Petitioner Los Altos School District's Amended
2 Writ of Mandate and Complaint for Injunctive Relief, on April 15, 2008. Donald Velez and John
3 R. Yeh from Miller Brown & Dannis appeared on behalf of Petitioner, Richard M. Noack from
4 Hopkins & Carley appeared on behalf of Respondents Santa Clara County Office of Education
5 and Santa Clara County Board of Education ("County Board of Education"), and Arturo J.
6 González from Morrison & Foerster appeared on behalf of Real Party in Interest, Bullis Charter
7 School ("Bullis").

8 Bullis has filed a request for judicial notice. The request for judicial notice is GRANTED.

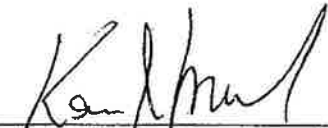
9 Having considered carefully the oral arguments and written briefs of the parties, the Court
10 holds that :

11 (1). Petitioner lacks standing, for the reasons set forth in the opposition briefs of the
12 Respondents and the Real Party in Interest; and

13 (2). Even if the Petitioner were found to have standing, Respondent Santa Clara County
14 Office of Education did not abuse its discretion, according to the statutory analysis argued in the
15 opposition briefs of the Respondents and the Real Party in Interest, which the Court accepts.

16 The Court therefore DENIES the Amended Writ of Mandate and requested Declaratory
17 Relief.

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19
20 Dated: May 22, 2008



Judge Kevin Murphy
Santa Clara Superior Court