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FILED  
CLERK, U.S. DISTRICT COURT  
JAN - 4 2007  
CENTRAL DISTRICT OF CALIFORNIA  
BY DEPUTY

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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

18 ASSOCIATION OF CHRISTIAN  
19 SCHOOLS INTERNATIONAL, et al.,

Plaintiffs,

vs.

21 ROMAN STEARNS, SPECIAL  
22 ASSISTANT TO THE PRESIDENT,  
et al.,

Defendants.

23 CASE NO. CV 05-0642-SJO (RZx)

24 DEFENDANTS' NOTICE OF  
SUBSTITUTION OF MICHAEL  
BROWN AND ROMAN STEARNS  
PURSUANT TO RULE 25(D)(1)  
AND [PROPOSED] ORDER

Judge: Honorable S. James Otero

BY *[Signature]*  
JAN 17 2007  
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2006 OCT 31 PM 2:32  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

1 Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure,  
2 Defendants hereby give notice that, in the stead of Michael Brown, they are  
3 substituting his successor Mark Rashid in his official capacity, and in the stead of  
4 Roman Stearns, they are substituting his successor Susan Wilbur in her official  
5 capacity (also already a defendant in her official capacity).

6 Plaintiffs' complaint named Michael Brown and Roman Stearns as  
7 defendants in this matter. Mr. Brown was sued only in his official capacity as  
8 Chair of the Board of Admissions and Relations with Schools ("BOARS") at the  
9 University of California ("UC"). Mr. Brown's term as Chair of BOARS has ended  
10 and his successor is Mark Rashid. Therefore, under Rule 25(d)(1), Mark Rashid is  
11 substituted for Michael Brown as a defendant in this matter.

12 Mr. Stearns was sued in his personal capacity and in his official  
13 capacity as Special Assistant to the Admissions Director (misidentified in the  
14 caption of the complaint as Special Assistant to the President). On August 8, 2006,  
15 the Court dismissed all claims against Mr. Stearns in his personal capacity. Mr.  
16 Stearns is no longer employed by UC. Susan Wilbur, the Admissions Director, has  
17 not appointed a Special Assistant to succeed Mr. Stearns and has no current plan to  
18 do so. The duties previously performed by Mr. Stearns are the responsibility of Ms.  
19 Wilbur and others working under Ms. Wilbur's direct supervision. Accordingly,  
20 under Rule 25(d)(1), Ms. Wilbur is substituted for Mr. Stearns in this matter. See  
21 *Air Line Pilots Ass'n Int'l v. Civil Aeronautics Board*, 750 F.2d 81, 87 (D.C. Cir.

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1 1984); *see also* Wright & Miller, Fed. Pract. & Proc. § 1960; 25 Fed. Proc. L. Ed. §  
2 59:470.

3 DATED: Oct 31, 2006

MUNGER, TOLLES & OLSON LLP

RECEIVED

4  
5 By: [Signature]  
6 STUART SENATOR

7 Attorneys for Defendants

8  
9 IT IS SO ORDERED.

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11 11/15/06

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[Signature]  
United States District Judge

**PROOF OF SERVICE BY FACSIMILE/E-MAIL**

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I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 355 South Grand Avenue, Thirty-Fifth Floor, Los Angeles, California 90071-1560.

On October 31, 2006, I served the foregoing document described as **DEFENDANTS' NOTICE OF SUBSTITUTION OF MICHAEL BROWN AND ROMAN STEARNS PURSUANT TO RULE 25(D)(1) AND [PROPOSED] ORDER** on the interested parties as follows:

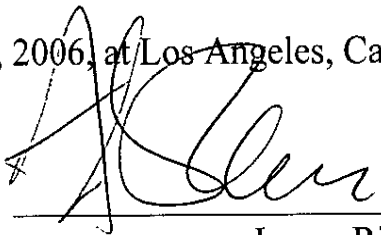
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**Jonathan T McCants**  
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I served the foregoing document by electronic mail, facsimile, and by U.S. mail utilizing the facsimile, emails and addresses on the above service list.

I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on October 31, 2006, at Los Angeles, California.



Loren Rives