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**FILED**

JUL - 8 2004

CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

5 MARTIN FINE, SBN 128543  
6 General Counsel  
7 Sacramento City Unified School District  
8 5735 47th Avenue  
9 Sacramento, CA 95824

10 UNITED STATES DISTRICT COURT  
11 EASTERN DISTRICT OF CALIFORNIA

11	PLANS, Inc.,	)	Case No. CIV. S-98-0266 FCD PAN
12		)	
13		)	DECLARATION OF FRANK R. LAWRENCE IN
14		)	SUPPORT OF DEFENDANTS' OPPOSITION TO
15	v.	)	PLAINTIFF'S MOTION FOR SUMMARY
16		)	JUDGMENT, OR, IN THE ALTERNATIVE,
17	SACRAMENTO CITY UNIFIED SCHOOL	)	SUMMARY ADJUDICATION
18	DISTRICT, TWIN RIDGES ELEMENTARY	)	
19	SCHOOL DISTRICT, DOES 1-100,	)	Date: July 30, 2004
20		)	Time: 10:00 a.m.
21		)	Place: Courtroom 2
22	Defendants.	)	

23 I, the undersigned, do hereby declare:

- 24 1. My name is FRANK R. LAWRENCE.
- 25 2. I am currently a partner in the law firm of Holland & Knight LLP.
- 26 3. My educational and professional background include a B.A. in American Studies with  
27 Honors from the University of California, Santa Cruz; J.D., Magna Cum Laude, 1989, Hastings School of  
28 Law. In 1988 I served as an extern to the Honorable Stanley Mosk, Associate Justice, California Supreme  
Court. In August 1989, I became a law clerk for the Honorable Raul A. Ramirez, United States District  
Court Judge, Eastern District of California. When Judge Ramirez left the bench, I became a clerk at large for  
the Honorable Chief Judge Emeritus Lawrence K. Karlton, and then 16 to 17 visiting district court judges.  
In 1990-91, I clerked for the Honorable David F. Levy, United States District Court Judge, Eastern District  
of California.

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1           4.       My wife and I are parents of Olivia, who attends Yuba River Charter School. Olivia will be  
2 in the fifth grade this coming Fall. Her teacher is Lee Pope. Olivia first attended Yuba River Charter School  
3 as a kindergartner, and has been a student at the school ever since. In addition, we have a son, Jesse, who  
4 will be entering the kindergarten at the school this Fall. His teacher will be Doris Rainville, the same  
5 kindergarten teacher Olivia had at the school.

6           5.       We selected Yuba River Charter School because my wife and I believe that the school's  
7 approach to education best meets our daughter's needs. We do not think it is appropriate to push kids  
8 academically at a young age, and our daughter has not been pushed academically. Indeed, we believe that it  
9 would be counterproductive for her to be pushed academically in these early years of her school life. We  
10 like very much the way that the school integrates the arts, foreign languages, academics and music on a  
11 regular basis. We think it is very important for our daughter to attend a school that aims to help her develop  
12 both intellectually and artistically. We very much like the school's de-emphasis on television and  
13 commercial youth pop culture. In addition, we like the fact that Olivia's teacher has stayed with the class  
14 from first grade through today, and plans on staying with the class through the eighth grade. We also  
15 appreciate the fact that it is a public school, both because we support public education generally and also  
16 because it means that her classmates come from a diverse socio-economic background.

17           6.       Our family moved up to Nevada City from Sacramento in large part because a spot became  
18 available for Olivia in the kindergarten at Yuba River Charter School. My wife and I traveled from  
19 Sacramento to observe Ms. Pope teaching a class prior to moving to Nevada City because we knew she was  
20 likely to become Olivia's teacher in first grade if we moved here and enrolled Olivia at the school, and we  
21 were both impressed by her teaching skills and style.

22           7.       We have been involved in school-related activities such as writing and editing the weekly  
23 newsletter for our daughter's class, helping in the class-room, and participating in class field trips. We  
24 regularly attend parent meetings and school functions.

25           8.       I have never personally witnessed any lesson or education-related activity at the school that  
26 I consider "religious." Yuba River Charter School and its curriculum appears entirely secular to my personal  
27 observation. Indeed, if the school were to conduct activities I considered to be "religious" I would not want  
28 and would not permit, my daughter to attend the school.

