

# Students Matter

Defending students' rights through impact litigation

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## ***Vergara v. California* Headed to Trial**

### **Appellate Court Denies Opponents Final Effort to Avoid Trial; Trial Begins on January 27, 2014**

**LOS ANGELES, CA** – Today, in a victory for California's students, the California Court of Appeal, 2<sup>nd</sup> District denied petitions for a writ of mandate filed by State Defendants and Intervenors. In response, Students Matter issued the following statement:

“We are pleased with the Court of Appeal's ruling and are eager for this case to go to trial on January 27, 2014. The State Defendants and teachers' unions have repeatedly tried to prevent a trial, which will provide an unprecedented opportunity to look at California's education system and make sure that first and foremost, it is protecting students' constitutional right to an education. The court has rejected every one of their efforts, and agreed that the rights of California's children deserve their day in court. Through this case, we seek to protect children, particularly students from low-income and minority communities, who are harmed both when great teachers are dismissed due to district lay-offs and when ineffective teachers are disproportionately situated in schools that serve predominantly poor and minority students. During trial, we will demonstrate that the challenged statutes create an arbitrary and unequal system that violates the rights of our children each and every day. We believe that this case will affirm the fundamental constitutional right to a quality education for all our students and believe that the court will rule on the side of justice and fairness.”

[\*Vergara v. California\*](#) is a groundbreaking lawsuit that seeks to strike down five California statutes to protect students' fundamental right to an equal opportunity to access quality education. Plaintiffs' legal team is led by Theodore B. Olson and Theodore J. Boutrous, Jr., who recently argued *Hollingsworth v. Perry* in front of the U.S. Supreme Court, successfully invalidating California's ban on same-sex marriage, Proposition 8. The trial team includes Gibson, Dunn & Crutcher attorneys Marcellus McRae, Theane Evangelis, Enrique Monagas and Joshua Lipshutz.

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*Students Matter is a national nonprofit organization dedicated to sponsoring impact litigation to promote access to quality public education. Learn more at [studentsmatter.org](http://studentsmatter.org).*